

Football Premiership: Aston Villa 3 Arsenal 2

Gregory lays claim to the title deeds

David Lacey at Villa Park

MAYBE Aston Villa are something more than pre-Christmas pretenders. Certainly they are championship material if powers of recovery are anything to go by.

Last Sunday a stunning second-half revival restored John Gregory's team to the top of the Premiership after Manchester United had briefly occupied top spot following Saturday's games. Arsenal's period of travail appeared over when Dennis Bergkamp gave them a 2-0 lead on the stroke of half-time with his second goal of the game, but after Julian Joachim had restored Villa's interest in the contest Dion Dublin scored twice to bring them a memorable victory in a thoroughly entertaining match.

The victory over the champions and Double winners, and especially the manner in which it was achieved, will have done much to restore confidence among the Villa supporters after only two points had been taken from four games, their previous game, at Chelsea, being lost after Tore Andre Flo grabbed an injury-time winner. Here, Villa simply refused to admit that a revived Arsenal side were their superiors; it was a triumph of stubbornness as much as anything.

Gregory said: "I believe after the week we have had against Manchester United, Chelsea and Arsenal,

that there are four teams who have the potential to be champions — including us."

At the same time Gregory's tactical switches in the second half contributed in no small part to the way his team turned the match around. His introduction of Stuart Collymore, who had begun the afternoon on the bench, to augment Dublin and Joachim up front steadily eroded the efficiency of an Arsenal defence which, while lacking the injured Tony Adams, had hitherto resisted Villa's untidy attacks with little difficulty. "My players let me speechless at the end but they had also left me speechless at half-time. In the first half we played with fear," said Gregory.

For Arsène Wenger the most disappointing aspect of this defeat will be the way his team's organisation at the back crumbled away after Bergkamp and Nicolas Anelka had dominated much of the first half. Arsenal performed some extraordinary tactical contortions in their efforts to regain the initiative, one of which involved Steve Bould spending a period on the left wing.

Having also gone four Premiership matches without a win, Arsenal were as keen as Villa to go for three points, and the commitment of both sides to attack ensured a rewarding spectacle from the outset. Yet Villa struggled to get into the game.

The opening goal, after 14 minutes, stemmed from Fredrik Ljung-



Rising expectations... Arsenal keeper David Seaman leaps to deny the home side's highest jumper Ugo Ehiogu. PHOTO: MICHAEL STEELE

berg, a strong influence in the first half, beating Alan Wright in the air. As the ball bobbed on, Anelka's head flicked it past Gareth Southgate with Bergkamp surging through to gain possession. The bounce was awkward, the ball just would not come down, but Bergkamp's technique enabled him to beat Michael Oakes with a horizontal volley.

Villa's immediate response was ragged, with little of consequence reaching Dublin, and Joachim's tendency to snatch at everything, wait-

ing what decent service there was. In the closing seconds of the half Bergkamp and Anelka sliced through Villa's cover with a double exchange of passes which ended with the Frenchman dragging the ball back from the byline for the Dutchman to turn it past Oakes once more.

The second half of the match was delayed by 15 minutes after a member of the RAF Hawks parachute team, jumping to publicise an insurance service, crashed into the roof of the main stand before plunging

on to the perimeter track. It was the third serious accident at a match involving Arsenal this season. Villa's physio, Jim Walker, was among those who raced to his help.

At Coventry a steward was crushed to death by Arsenal's team bus, and during this month's Champions League game in Athens a Panathinaikos supporter suffered a fatal fall from the top of a stand.

Villa appeared to be in a dilemma when the game restarted. If they brought on Collymore, cover would have to be sacrificed somewhere, leaving Arsenal to score a third goal. But Gregory allowed only eight minutes of the second half to pass by before taking off Gareth Barry, now a tired teenager, withdrawing Wright to a back four and using Collymore to create a front three.

Had Oakes not dealt snarlingly with a shot from Marc Overmars just before the hour the switch might have been academic. As it was Villa were level by the 65th minute.

First Collymore's run stretched Arsenal at the back, and Lee Hendrie's short, square pass set up Joachim for a goal taken sharply with the outside of a foot. Then Joachim's centre from the right saw a shot from Dublin blocked. Alan Thompson prodded the rebound forward, and Dublin moved clear of the defence to beat David Seaman. In vain Arsenal claimed, with some justification, that Dublin was off-side.

Either way Villa now sensed they could win a match that only 20 minutes earlier had seemed well beyond them. Sure enough, in the 83rd minute Thompson's corner from the right cleared the leaping Martin Keown, and Dublin had time and space to control the ball before driving it into the roof of the net.

Double issue for Christmas and New Year

159, No 26
Week ending December 27, 1998

The Guardian Weekly

In an extraordinary week the US president suffers the humiliation of impeachment while ordering air strikes against Iraq

Clinton seeks deal to save presidency

Martin Kettle and Julian Borger in Washington

THE White House this week launched a secret drive to save Bill Clinton's presidency. Less than 24 hours after he became the first United States president in 100 years to face a Senate impeachment trial.

It followed a two-day debate in the House of Representatives, delayed after Mr Clinton ordered air strikes against Iraq, at the end of which congressmen voted for two of the House Judiciary committee's four articles of impeachment.

Mr Clinton's advisers have begun consultations with Senate Republicans on possible compromise deals, in which the president would be censured and perhaps fined, thus avoiding a trial which some experts say could last up to six months. Impeachment and removal of the president from office would require a two-thirds Senate majority.

The Northern Ireland peace-maker, Senator George Mitchell, a former Senate majority leader, was expected to be called in to spearhead the attempt to strike a deal.

Mr Clinton said last Saturday that he intended to fight to remain in the White House until "the last hour of the last day of my term" and to resist calls to resign in favour of Vice-President Al Gore.

As the president went to church last Sunday with his daughter, Chelsea, the White House chief of staff, John Podesta, said Mr Clinton would not step down. "I think if the president were to resign under these circumstances, it would weaken the presidency, it would undermine the constitution, it would be a bad thing to do in place," Mr Podesta said.

The events in the House last Saturday left the Republican party stunned at the loss of its second

Speaker in less than two months. The shock resignation of the Speaker-elect, Bob Livingston, only weeks after he forced his predecessor Newt Gingrich to quit, left Congressman Dennis Hastert of Illinois as the front-runner for the post.

Meanwhile Larry Flynt, the publisher whose investigations into congressional sex lives forced Mr Livingston to quit as Speaker, has threatened to release details on up to a dozen other Republicans before Congress reconvenes in January.

As Washington drew breath after four days of tumultuous political crisis amid the now suspended US assault on Iraq, opinion polls showed continued strong ratings for Mr Clinton, but also a rise in those who want him to resign and end the constitutional standoff.

An NBC poll taken after the House vote showed Mr Clinton's support rose from 68 per cent to 72 per cent. But a Newsweek magazine poll showed a rise to 44 per cent of those wanting Mr Clinton to resign. Other polls showed fewer people backing resignation.

There were early hints that some Republicans shared the White House aim of averting a long and humiliating trial which would lock up Congress, presidency and supreme court business.

"There has to be some consideration to what you do that is the best under the circumstances to resolve this matter in the best interests of the country," Orrin Hatch, the Senate Judiciary committee chairman and a senior Republican, said.

Mr Hatch called on the Senate majority leader, Trent Lott, to conduct a private straw poll of senators to see whether Mr Clinton is likely to be convicted.

The two articles of impeachment cover perjury in Mr Clinton's

continued on page 3

Washington Post, page 13



President Clinton leaves church in Washington last Sunday with his daughter Chelsea. PHOTOGRAPH: WILLIAM PHILPOT



Mopping-up operation... The deck of the US aircraft carrier Enterprise is swabbed down after the order came to halt air strikes against Baghdad. PHOTOGRAPH: KEVIN MAZUR

Iraq faces threat of fresh attacks

Guardian Reporters

BITAIN and the United States reserved the right to launch fresh attacks on Iraq as the two governments struggled to win international support this week for a policy of containment following four days of intense air strikes against Saddam Hussein's regime.

Tony Blair, ordering the aircraft carrier HMS Invincible to the Gulf, insisted that if Britain and the US had not taken action to keep President Saddam "in his cage" their credibility would have been "reduced to zero".

With unconfirmed reports of thousands of Iraqis killed and injured in Operation Desert Fox and doubts about how much damage had been done to the country's military machine, President Saddam claimed his country had been victorious over the "enemies of God".

Asked what would trigger future action against Iraq, the British prime minister said: "If he [Saddam] poses any threat to the outside world, we will act again." But he acknowledged there was no guarantee that the Iraqi leader could be removed.

In halting the strikes, President Clinton said the 70-hour assault had severely damaged Iraq's ability to build weapons of mass destruction. But the inspectors of the United Nations Special Commission (Unsc), charged with monitoring and destroying Iraq's banned chemical and biological arsenal, seem unlikely to be allowed to resume work. Iraq's vice-president, Taha Yassin Ramadan, declared that Unsc's mission was over.

The US secretary of state, Madeleine Albright, said: "The inspectors have not been able to do their job for the last eight months. We have other means of monitoring, and we reserve the right to use force."

The US defence secretary, William Cohen, said: "We are going to be in the region, we are going to maintain our military capability, we are going to continue the sanctions and watch to make sure that he doesn't pose a threat to his neighbours or try to reconstitute these programmes."

Iraq's ambassador to the UN, Nizar Hamdoun, said the allied attacks had killed or wounded thousands of people. Previous reports indicated that at least 42 people had been killed and 96 wounded.

Intensive diplomatic activity is now expected to build international support for a new policy of containment, with Britain trying to mend fences with its European partners after resentment over the fact that only Britain acted with the US.

Russia said that the US and Britain had finally shown common sense by halting the attacks, and France and China, also UN Security Council members, urged new efforts to solve the crisis.

Moscow has been incensed that Washington and London disregarded its views over Iraq and bypassed the Security Council, where Russia has the right of veto as one of five permanent members.

President Jacques Chirac of France called for a review of the international oil embargo on Baghdad, saying living conditions in Iraq had to be improved urgently.

In Baghdad, the end of the bombing was met with relief by ordinary people. In his second pre-recorded television message in three days, President Saddam, dressed in military uniform, said the air strikes had rekindled the spirit of resistance apparent during the "Mother of all Battles" — the 1991 Gulf war.

"God wanted it to be an honour, dignity and glory for you in these days and in the day of judgment," he said. "God will make it a disgrace,

dishonour and a great crime in these days and in the day of judgment to those enemies of God and humanity who committed it."

Under UN resolutions, the economic sanctions imposed after Iraq's 1990 invasion of Kuwait cannot be lifted until Unsc certifies that Iraq is free of all nuclear, chemical and biological weapons and long-range missiles. How that is to be done without Unsc remains unanswered.

The Pentagon said 425 Tomahawk cruise missiles were fired during the campaign — more than the number fired in the entire five-week Gulf war to evict Iraq from Kuwait. Iraq says its gunners shot down more than 100 Tomahawks. The offensive involved 650 aircraft missions, including 32 sorties by 12 RAF Tornado fighter-bombers.

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China acts to silence dissidents 4

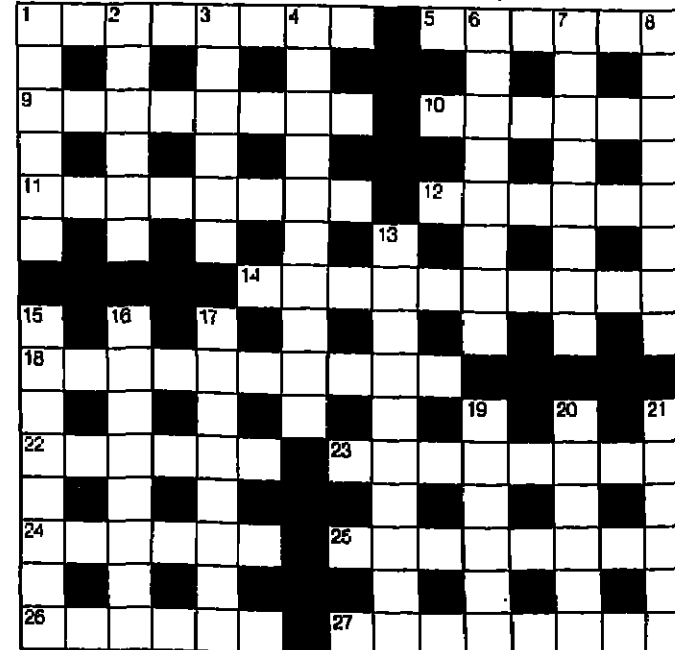
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Because of distribution problems over the holiday season, we are publishing next week's issue with this one

Austria	AS30	Malta	80c
Belgium	BF80	Netherlands	G 5
Denmark	DK17	Norway	NK 18
Finland	FM 10	Portugal	E300
France	FF 14	Saudi Arabia	SR 6.50
Germany	DM 4.60	Spain	P 300
Greece	DR 500	Sweden	SK 19
Hungary	HUF 500	Switzerland	SF 3.80
Italy	L 3.500		

Cryptic crossword by Gordius



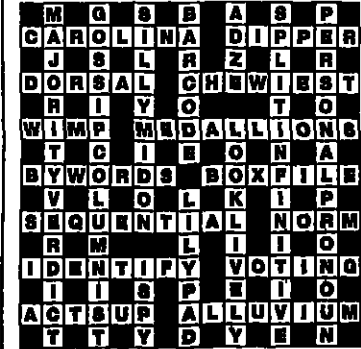
Across

- Printer's top money-making equipment (8)
- Settle on 12½ feet (6)
- Woman prepares meals with water (5,3)
- Place to lay one's head at small house for clergy (6)
- Resort gives soldiers nothing to swear about (8)
- This month includes little time very near the middle (6)
- Putting on airs before getting tight... (10)
- ... remedy for one who has had one over the eye? (6,4)

Down

- Some agreement achieved, but containing little substance (8)
- Vehicle weight with packaging (6)
- Furniture that was sat on and broken by a lady? (8)
- Gold coin initially concealed as a plant (6)
- It may help to avoid a serious charge (8)
- Important character of Midwestern establishment (8)
- Allen called, without disturbing rest (8)

Last week's solution



Athletics

It's lucky 13th for Radcliffe

Duncan Mackay in Ferrara

A GREAT year for British athletes ended on a suitably high note when Paula Radcliffe won the European Cross-country Championships here last Sunday, to claim her first senior title.

The Bedford runner's dominating performance over a field that included Fernanda Ribeiro, the Olympic 10,000 metres champion, took to 13 the number of European titles won by British athletes during 1998.

Radcliffe will always believe it would have been 14 but for the virus she contracted before the European Championships in Budapest which reduced her to a shadow of herself as she finished fifth in the 10,000 metres. "This doesn't totally make up for the summer, but it makes up in a little way," Radcliffe said.

Doubts have played on her mind since that day, four months ago, but they were spectacularly exorcised here in the north Italian city. "I really, really needed to win this," she said. "I knew I was under pressure and didn't really know how I would feel."

It was a signature Radcliffe performance as she took the race to her rivals from the gun. The longer the 5.5 km race lasted the tighter she turned the

screw but, as she entered the last kilometre with Ribeiro, famed for her sprint finish, still on her shoulder, it looked as if it would be a familiar tale at the end.

Yet even the Portuguese runner was unable to hold on to Radcliffe as the relentless pace took its toll, and she faded to fourth. The last to succumb, in the closing 300m, was Radcliffe won by three seconds were Finland's Annemari Sandell, the 1995 champion, and Yugoslavia's Olivera Jevdic, who had beaten Radcliffe in Budapest.



Radcliffe: relentless pace

John Co. 116

Go-it-alone air strikes against Iraq abhorrent

IN BILL Clinton's speech following the launching of air strikes against Iraq, it was unclear who exactly had acted — the United Nations, the United States, or Clinton and his security advisers? Why do the boundaries between these three blur so easily? It is one thing to acknowledge the power of the US in the world today, and even to allow our military to be used to enforce international decisions.

However, an undeclared war, without the UN's support, seems scarcely different from the behaviour of several powers during the second world war. The Japanese government believed it was acting in the best interests of its neighbours by subjecting them to Japanese rule. Does the US truly believe that we are acting in the best interest of Iraqi citizens and citizens of neighbouring countries by air strikes?

Clinton's justification for the latest attacks is that Iraq has used its weapons against other countries and its own people. Yet the US remains the only country to have used nuclear weapons twice against another state.

The atrocities Saddam Hussein has committed in Iraq do not differ

greatly from atrocities committed in the former Yugoslavia, East Timor, Rwanda, South Africa, Chile, and numerous other areas of the world. Is it possible for the US to be truly honest about why it chooses to bomb Iraq at this time? Are our economic interests really so important? And, if the US is willing to support UN policy by bombing Iraq, why is it not willing to pay the UN its outstanding dues?

Finally, Clinton's "cultural sensitivity" is abhorrent. How nice of him to consider the Iraqis' religious holiday. Now they can begin celebrating Ramadan by mourning their dead.

I do not condone Saddam Hussein's actions. But I also do not condone the actions of the US government in acting without the prior approval of the international community.

Melissa Melby,
Atlanta, Georgia, USA

WHEN can we expect Bill Clinton and his trusty henchman, Tony Blair, to take decisive military action against Iraq for (a) disregarding United Nations resolutions, (b) stockpiling weapons of mass

destruction, and (c) intimidating and occupying neighbouring countries? It should not be forgotten that Israeli weapons of mass destruction are financed in part with hand-outs from the "peace-loving" US administration.

Eryl-Anne Baylis,
Frejus, France

Chile's military in need of a lesson

IMUST differ from Eric Hobsbawm (December 13), even though he invokes "leaders of the Chilean left" and "a very authoritative democratic figure in neighbouring Argentina" — but not the thousands of Chileans who went Pinochet prosecuted to the full extent of the law.

When Hobsbawm refers to Chile's "endangered democracy", he means a democracy that exists at the pleasure of the army — an army which may be called fascist without descending into leftist cant. How much can such a democracy accomplish, and what would lead us to suppose that it will ever cease to be endangered? Chilean democracy will be safe and effective only if the power of the army is broken. That would hardly be rendered more probable by Pinochet's return, which would be a triumph for Pinochet, effectively erasing the "humiliation" to which Hobsbawm refers.

In any case, it is not only Chile's institutions that are affected by the Pinochet case. That a vicious military dictator should be arrested like a common criminal thousands of miles from his home because of the brutality of his rule represents no less than a major step forward in human civilisation.

If Pinochet goes home, all that will be undone. The Lords will have established nothing but their impotence, and endangered human beings all over the globe will be that much more endangered. These considerations should far outweigh speculations about Chilean politics which, if the truth be told, no one can advance with genuine confidence.

Michael Neumann,
Peterborough, Ontario, Canada

presidents, through assassination, illness or resignation, and the country has carried on with hardly a backward glance.

The only way the election would be "reversed" would be to declare Bob Dole president, which, besides being unconstitutional, is ludicrous.

Professor Alan Dershowitz's talk of "a legislative coup d'état" is preposterous nonsense, as he well knows. Al Gore supports at least 95 per cent of Bill Clinton's policies. Impeachment is nothing more than an accusation; it gives Clinton the opportunity of his "day in court" in a Senate trial, where, presided over by the Chief Justice of the Supreme Court, each side makes the case for or against his removal from office, which would require a two-thirds majority.

All Kettle's rhetoric about "bible-thumping fundamentalists" and the like avoids the fact that this president is a felon, has manifestly contravened his oath to "preserve, protect and defend the Constitution", and is unfit to hold his office of trust and leadership. It is Clinton, not "Clinton-haters", who has brought discredit on the presidency.

Finally, on the subject of public opinion: an ABC poll has just shown that two-thirds of Americans feel that the president should resign rather than put the country through a Senate trial, and 40 per cent think he is a perjurer. We can't all be "anti-government obsessives".

Nicholas O'Dell,
Phoenixville, Pennsylvania, USA

AS PROCEEDINGS to impeach an American president move inexorably forward, recall Britain in the first year of the reign of George VI and the words of Percy Bysshe Shelley: "What silly stuff to employ a great nation about."

Elizabeth Quince,
Almonte, Ontario, Canada

Cloning contrary to human rights

YOU ARE right to say that there is a yuck factor at work over the possibility of human cloning (Comment, December 20) but, as with most of the comments on the subject, it is assumed that the question exists in a moral vacuum and that there has been no thought or discussion by any authoritative body.

Cloning of human beings has, in fact, been condemned by many international and inter-governmental organisations, most notably by UNESCO which issued the Universal Declaration on the Human Genome and Human Rights on November 11, 1997.

The Declaration is based on a belief in the value of the uniqueness of every human being. Cloning would be a deliberate control of another person's genetic make-up and, as such, an affront to human dignity.

Although it is true that education and environment play important roles in the development of an individual, it is an offence against human rights for one person to choose another's genetic constitution and so decide his or her identity.

Research into genetic engineering that is carried out for therapeutic purposes is clearly justified. But, ultimately, it is not for genetics to determine what we mean by human; it is what we mean by human that should determine the genetics.

Malcolm Hurwit,
Southall, Middlesex

Briefly

CANADIAN senators are appointed by the Governor General in Council, that is, by the prime minister of the day. In practice, a Senate appointment is less likely to be a recognition of distinction than a convenient way of consoling a discarded minister, rewarding a loyal party supporter, or opening up a safe Commons seat.

Canadians consequently have little respect for their Senate, and there is general agreement that the institution needs to be fundamentally reformed.

For the observer on this side of the Atlantic, it is therefore hard to understand why the Blair administration should propose to introduce precisely this model in Britain.

Nigel H Richardson,
Toronto, Canada

THE UK government deserves high praise for its imaginative and comprehensive tobacco white paper (December 20). The promised increases in cigarette tax will certainly be the most potent weapon in the campaign to reduce smoking-related disease. But surely it wasn't produced by the same joint-up government which is arguing for the retention of cheap, duty-free cigarettes, was it?

Donald Reid,
Association for Public Health, London

SHOULD very much hope that the Guardian Weekly will stick to the kind of bias Richard M Sudhalter is complaining about (December 6) as long as there are people like Mr Sudhalter who, in the face of 50 years of Israeli dispossession and oppression of another people, claim innocence and demand even-handedness.

Dick Dringeman,
Haifa, Israel

PAUL J. EVANS (December 20) is only half right. These are indeed the halcyon days, but binoculars seem to have misted up, for the west floating on the calm waters of the Mediterranean does not contain a hawk or even a razorbill, but a kingfisher, whose Greek name is, of course, "halcyon".

(Dr) Peter South,
Frittenden, Kent

I WAS searching the Internet for information on women's protest movements. I keyed in "Ann Clwyd women against pit closures" and my computer proudly announced: "Althea knows the answer to this — Where can I find free sexy pictures of women's armpits." Is feminism dead, or has Barbara Follett finally triumphed?

Nicky Horrope,
Llanudno, Conwy, Wales

The Guardian Weekly

December 27, 1998 Vol 159 No 26
Copyright © 1998 by Guardian Publications Ltd., 119 Farringdon Road, London, United Kingdom. All rights reserved.
Annual subscription rates are £22 United Kingdom; £26 Europe inc. Eire, USA and Canada; £28 Rest of World.
Letters to the Editor and other editorial correspondence to: The Guardian Weekly, 75 Farringdon Road, London EC4A 3DF.
Fax: 44-171-242-0365 (UK); 011-212-242-0365; e-mail: weekly@guardian.co.uk
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Effectiveness of Desert Fox called into question

Richard Norton-Taylor

BRITISH and United States officials hailed air strikes against Iraq as a success, but were vague about the scale of the damage inflicted. Two key questions about Operation Desert Fox remained: how much damage was done to Saddam Hussein's war machine and ability to maintain internal repression, and how quickly can he rearm?

The US defence secretary, William Cohen, acknowledged that some of the targets hit could be rebuilt in a year. Pentagon analysts have estimated less than serious damage to

centres, 10 bases of the Republican guard, and 30 sites involved in making weapons of mass destruction.

Mr Cohen said: "We've been careful to set realistic goals. We've also been careful not to either overstate or exaggerate the results." Responding to criticism that the raids had failed in their objectives, Mr Cohen said: "Some have characterised moderate damage as 'somehow' being 'less than successful' [but] when we make these preliminary assessments, what looks either to be light or moderate cannot be calibrated in terms of a normal understanding."

Mr Blair said targets included 27 air defence systems, 20 command, control and communications

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Independent analysts point out that it is particularly difficult to destroy Iraq's chemical and biological warfare capability since it is easy for the substances and information on how to manufacture them.

The focus for US and British intelligence has now switched to a new target: how to prevent Iraq and its friends from taking retaliatory terrorist action. The Australian government says Richard Butler, the chief UN weapons inspector, has received death threats after issuing the report last week that prompted the bombing of Iraq.

Diplomatic repairs to follow Iraq attacks

Guardian Reporters

THE UNITED States and Britain have begun the difficult task of repairing relations with the rest of the international community after last week's attacks on Iraq. Their priority is to seek support for maintaining the United Nations sanctions imposed in 1990, and to find ways of monitoring what remains of Saddam Hussein's weapons of mass destruction.

The key differences now are that the inspectors of the UN Special Commission (Unscow) — condemned as spies by Baghdad — are highly unlikely to go back, and that international determination to keep Saddam Hussein "in his cage" is looking shakier than ever before.

Countries sympathetic to Iraq, such as France and Russia, furious at not being consulted about Desert Fox and opposed to military action, have long been working to ease sanctions, and at the very least to show Baghdad "some light at the end of the tunnel". It will clearly not be easy to persuade them to sign up to tighter enforcement.

The most vocal critic has been Russia, which last week withdrew its ambassador to Britain in protest for the first time since 1971. Despite Russia's economic weakness and dependence on foreign aid, the government of Yevgeny Primakov is clearly determined to plough its own furrow. General Leonid

But the political fallout from Desert Fox will not simply be in the strained diplomatic relations in Europe and with Russia, and the inevitable damage to the Middle East peace process.

More worrying for Washington and London is the reaction from the Islamic world — with the usual exception of Kuwait, all Arab governments have expressed condemnation, disapproval or regret at the attacks. Their tone has been one of sadness rather than anger, but popular reactions have been far stronger. Islamists and leftwingers condemned the attacks outright, and even Iraqi exile groups who look to the US for support disapproved. Ahmad Chalabi, of the Iraqi National Congress, said: "We are against any bombing unaccompanied by any plan to overthrow Saddam's regime."

US embassies in both the Middle East and Europe came under attack: in the Hague, Iraqi demonstrators were driven back by a police baton charge after they pelted the US embassy with stones; in Copenhagen windows were broken at the US embassy when hundreds of Iraqis hurled objects at the building.

So far Arab countries friendly to the US, such as Egypt and Jordan, have refrained from criticising US-British policy in the Middle East. The question now is how long will they and other Arab governments be able to resist pressure from fundamentalists?

Desert Fox is over, but the story of containing Iraq continues. What Washington and London began last week may have repercussions that are as yet impossible to foresee.



An Iraqi among rubble after last week's air strikes. PHOTO: RAMZI HADRA

The view from Baghdad

THEY came like waves, like clockwork, heralded by streams of red tracer fire floating dreamily through the skies above Baghdad. The sound followed moments later and then the shock waves, writes David Sharrock in Baghdad.

When morning came, it was apparent that Baghdad had sprouted more blackened and crumpled tower blocks. A missile had smashed through the roof of one building, spilling debris out of every floor. Mohsen al-Hadi had been walking past when the projectile struck and was hospitalised with shrapnel wounds to

his abdomen. The 20-year-old cigarette seller expressed the common sentiment of Baghdad residents: "When I heard the siren I felt there was nothing I could do, so I just kept walking. Then there was an enormous explosion and I don't remember anything else."

A middle-aged woman asked: "Can you tell me what these bombs have achieved? Has anything changed between now and before last week? Only our suffering has increased, nothing else... Those who can get out are doing so. I am too old to begin again."

Clinton seeks to cut deal

Continued from page 1

August 17 testimony to the grand jury investigating the Monica Lewinsky affair, and obstruction of justice. The message from the White House is that the president's men are up for a deal on Capitol Hill along the lines of the bipartisan "measure-plus" motion proposed last week by the former Republican presidential candidate Bob Dole.

Martin Kettle comments: Bill Clinton's crisis in a separate part of his brain from the chief executive part has been his single most effective survival skill.

And yet in those tumultuous days last week the compartmentalisation ceased to protect Mr Clinton. What ever else it may have achieved, the

plot and subplot, would have taxed even Shakespeare's imagination.

Even as the scandals swirled and the humiliations rained down during the Lewinsky affair, Clinton has mostly been able to concentrate on what he always calls "the work of the American people".

Ever since his August 17 testimony to Kenneth Starr's federal grand jury, that ability to keep the Lewinsky crisis in a separate part of his brain from the chief executive part has been his single most effective survival skill.

And yet in those tumultuous days last week the compartmentalisation ceased to protect Mr Clinton. What ever else it may have achieved, the

US bombing of Iraq did little or nothing to protect Clinton from the Republican determination to impeach him over the Lewinsky affair. If the attack on Iraq was, as some believed and few wholly disbelieved, an exercise to destabilise and perhaps stop the impeachment process, then it was a conspicuous failure.

True, the bombing forced the Republicans to reschedule their debate, but only for a day. If anything, Mr Clinton's action made Republicans more, rather than less, determined to nail their man. Most Republicans saw the Iraqi attack as either irrelevant, or as a crude attempt to divert attention.

Likewise, the sudden revelation by Speaker-elect Bob Livingston that he had had a number of extramarital affairs during his 31-year

marriage seemed to embolden Republicans rather than to make them reconsider. Most Republicans see these smears and scandals as Clinton-inspired dirty tricks, just as they did in the similar Henry Hyde case three months ago.

The tactical case against Mr Clinton is that he misread November's mid-term elections as a personal vindication rather than as a tactical victory. He sat back and waited for impeachment to run into the sand. When the Republicans came to get him, he was complacent, not contrite.

Now he is the first elected president in US history to be impeached. It cannot be said with any certainty that Mr Clinton will survive the coming weeks. But it can be said with certainty that he absolutely intends to.

The Week

TURKEY'S prime minister-designate, Bulent Ecevit, said he had abandoned his attempt to form a new government. President Suleyman Demirel must now find a political leader capable of forging a new administration before a mid-January deadline.

THE United Nations brokered a peace agreement between the Angolan government and the Unita rebels. There was heavy fighting across the central highlands, which displaced tens of thousands of people.

Washington Post, page 14

CANAN BANANA, the former Zimbabwean president convicted of 11 counts of homosexual assault, surrendered to police in Harare after returning from South Africa, where he had sought refuge.

THE 500th execution took place in the United States since Gary Gilmore went before a firing squad in 1977. Andrew Lavern Smith was executed by lethal injection in Columbia, South Carolina, for stabbing an elderly couple to death.

POLICE exhumed the body of Roberto Calvi — known as God's banker for his relationship with the Vatican bank — 16 years after he was found hanging under a bridge in London. They hope to find out if he was murdered before or after the collapse of Banco Ambrosiano, Italy's largest private bank, of which he was chairman.

MORE than 100,000 Honduran children will be taught in tents next year because of the damage to schools from Hurricane Mitch. The UN has agreed to donate 1,000 tents.

THE United States and Swiss governments signed an agreement in Washington to split \$175 million from a drug dealers' money-laundering operation, Swiss officials said.

ISRAEL'S cabinet voted to suspend its latest US-brokered Middle East peace deal until Palestinians meet conditions set by the prime minister, Binyamin Netanyahu. The vote could help Mr Netanyahu win support for a key vote in parliament that could lead to an early election.

SEVEREN babies were delivered by caesarean section in Houston, Texas, completing the world's first surviving set of octuplets. The first was born prematurely nearly two weeks earlier.

SECURITY was tightened on the German railways after an extortionist suspected of carrying out three attacks on trains demanded the equivalent of \$5 million, according to the interior ministry. In the most serious attack a goods train was derailed.

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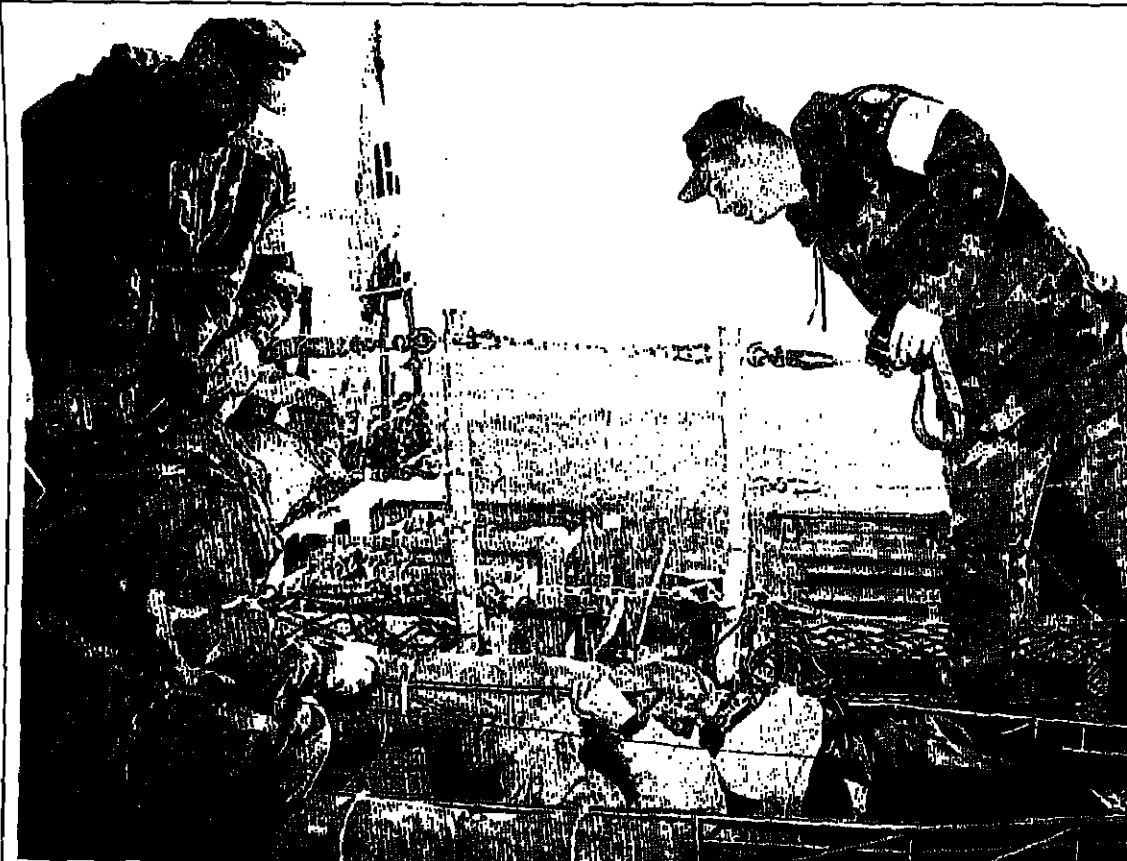
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The Guardian

Knows no boundaries



UN officers check the body of a North Korean frogman after South Korea sank a submarine from the North

South Koreans sink submarine from North

Jonathan Watts in Tokyo

SOUTH Korean naval forces sank an intruding North Korean vessel last week after a six-hour pursuit and firefight.

The incident, which is certain to inflame relations between the two sides, came as fresh evidence was revealed in Tokyo of the desperate conditions facing people in the famine-stricken North.

The South Korean navy spotted the intruding vessel, described as a high-speed semi-submersible, as it approached the shore near Yosu Port.

In the ensuing pursuit 12 South Korean ships tracked the intruder, while naval jets fired flares to mark its progress. The vessel was halted at dawn, when depth bombs were dropped in its path.

"We fired warning shots, but the submarine continued to flee and fire

back," Hwang Dong Kyu, a South Korean defence ministry spokesman said. "As a result we fired on and sank it."

South Korean forces later recovered the body of a North Korean frogman, who was carrying a hand-grenade. At least three others are believed to have been aboard the vessel.

Fearing infiltration, the South Korean military went on maximum alert. Roadblocks were set up near the southern coastline and thousands of troops were mobilised to hunt for any North Korean agents.

It is not the first incursion by the North, which has still to sign a peace treaty with its neighbour after the 1950-53 Korean war, but the latest clash comes at a time of the worst political tension in the past four years.

Washington is considering calling off an energy deal with

Pyongyang because of its refusal to allow inspections of a suspected nuclear weapons plant. Tokyo has also imposed sanctions on the North since the launch of a rocket over Japanese territory in August. A second launch is expected soon.

This month the North Korean military warned that the situation was "on the brink of war".

The South Korean president, Kim Dae-jung, has vowed to pursue a "sunshine policy" of engagement with Pyongyang. But the latest clash provides ammunition for his enemies, who demand a tougher stance.

For North Korea's leader, Kim Jong-il, the clash may be a useful diversion from domestic troubles. In recent years the North has been hit by floods and famine. Millions are believed to have starved to death. Pyongyang refuses to acknowledge the crisis.

Exile and jail for China dissidents

John Gittings

CHINA played the game of "two in and one out" when it released a prominent dissident into exile in the United States, while sentencing another two to long prison terms.

Liu Nianchun follows in the footsteps of fellow dissidents Wei Jingsheng and Wang Dan, both released into exile in the past year.

Mr Liu, aged 50, was released from a prison labour camp last Sunday on medical parole on condition that he left the country. He faces certain re-arrest if he returns.

Human rights groups have decried the timing of his release as a "cynical" attempt to blunt criticism over the sentencing of the veteran pro-democracy activist, Xu Wenli, and another leading dissident, Wang Youcai.

Mr Liu was sentenced without trial under administrative regulations — often used to deal with dissenters — in 1995 after drafting a petition calling for an official inquiry into the 1989 Tiananmen Square massacre.

It was the third time he had been imprisoned in 17 years. His three-year term was then extended, again without trial.

His brother Liu Qing, who now lives in New York, said that Mr Liu had been ill for two years before being given a medical examination last month.

His wife, Chu Hailian, gained international publicity in September when she was dragged away by security guards while trying to deliver a letter to the United Nations human rights chief, Mary Robinson, outside a Beijing hotel.

Mr Liu, his wife and their 11-year-old daughter arrived in the US less than 24 hours before Xu Wenli was sentenced in Beijing to 13 years in jail on charges of subversion.

Mr Xu attracted foreign attention when he was briefly detained while the British prime minister, Tony Blair, visited Beijing in September.

Mr Xu's wife, He Xintong, said that the court had appointed a lawyer for her husband without leaving him time to prepare a defence.

The other leading dissident Wang Youcai, like Mr Xu, was sentenced to set up an alternative to the Communist party — was tried in the eastern city of Hangzhou without being allowed proper legal representation.

He was given 11 years for attempting to form an opposition party. The official Xinhua news agency also said that he and Mr Xu had accepted funds from "hostile overseas organisations".

The three week-long crackdown on a handful of would-be founders of the Chinese Democracy Party (CDP) does not suggest real concern that they might pose a political threat. However, it reinforces recent forceful statements by national leaders intended to define the limits of dissent.

Last week President Jiang Zemin told a meeting, held to celebrate the 20th anniversary of China's economic reforms, that the current political system "must not be shaken, weakened or discarded at any time". He vowed to "nip in the bud" any subversive activities.

The US-based Human Rights in China group welcomed Mr Liu's release. But in a statement it added: "The Chinese government continues to play hostage politics with no true commitment to international human rights standards."

China is concerned with the overall balance of relations with the US and other Western democracies. In spite of Beijing's opposition to US bombing in Iraq, it must also take into account longer-term trade and strategic shared interests.

Experience has shown that releasing one or two high-profile dissidents allows Western governments to claim that China is responding to human rights pressure.

Washington Post, page 13

GUARDIAN WEEKLY
December 27 1998

MEPs blow the Commission's cover



Europe this week

Martin Walker

THE European Parliament chose a spectacular and defiant way to end the final days of the old multi-currency Europe, and the new single currency will now be born amid a severe and murky constitutional crisis.

The parliament has embarked on an historic clash of powers by refusing to approve the European Commission's budget, despite intense pressure by centre-left national governments, led by Tony Blair, to fend off what the Commission had warned would be "tantamount to a vote of no confidence".

Outraged by a wave of fraud and mismanagement scandals within the Commission, and new evidence of its persistent attempts to cover them up and mislead the parliament, 20 MEPs voted to refuse a discharge of the 1996 budget, while only 225 sided with the Commission.

Three separate European crises have now merged into one, with profound implications for the future role of the parliament and democracy in Europe. First, the parliament finally asserted its constitutional role as the accountable body to approve or condemn the spending of EU taxpayers' money, in a way that will permanently weaken the traditional dominance of the Brussels bureaucracy.

Second, the Commission's failure to clean up its own act and prevent internal frauds has finally been exposed, 10 years after the first fraud enquiry began. The final straw for many MEPs was the testimony of

whistle-blowers from inside the Commission on the way that some individual commissioners were themselves connected to frauds, and to the use of improper pressure to find lucrative Commission jobs for their families and aides.

Third, MEPs revolted against the way that national governments, in particular the British Labour party and the Spanish conservatives, put strong pressure on their own MEPs to let the Commission off the hook.

The politics of these confusions, since the British, French and German governments were trying to protect leaving commissioners, while the Spaniards were simply trying to prevent a constitutional crisis and ensure that Europe's business continued as usual. But with important decisions pending over EU budget and farm reform, all the national governments feared that defeat for the Commission could hamstring Europe's decision-making for months to come. The Commission itself made the same point, in a last-minute appeal to the parliament, which seems to have backfired when MEPs saw it as a form of blackmail.

There were intense and heated scenes on the floor of the parliament. Britain's Pauline Green, leader of the Socialist group, was jeered when she tried to table a motion of censure on the Commission, while explaining that she would then vote against her own motion.

The long-standing tension between the two dominant groups of British and German socialists came to a head after Germany's leading fraud-fighter, Rosemarie Wemhauer, resigned from the budget control committee in disgust at the way the British Labour group tried to bulldoze the Socialist group into backing the Commission.

The utter disarray of the divided Socialists was exploited by the Tories, Christian Democrats, Greens, Liberals and other political groups to inflict a humiliating defeat on the Commission and its Labour allies.

The parliament has become polarised along traditional political lines, and the education commissioner and former French Socialist prime minister, Edith Cresson, has implausibly claimed that the fraud inquiries were a right-wing plot to discredit her. But the key to the vote was the principled refusal of German, Austrian and Scandinavian Social Democrats to tolerate the Commission's performance.

Under the usual European ritual that no decision is ever quite final, the matter now goes back to the parliament's budget committee before a new vote takes place early next year. The Commission thus gets one last chance to convince the parliament that it can and will do better. In practical terms, since the vote relates to the budget of 1996, there are no immediate implications for the current working of the Commission or its spending.

But unless the Commission survives the inevitable vote of confidence next year, and persuades the parliament to vote a discharge which accepts that the 1996 budget was properly spent, it would be almost impossible for any current serving commissioner to be re-appointed by the parliament in future. It will take some fancy footwork to spare the Commission's president, Jacques Santer, and some or all of his colleagues from demands for their resignations.

The fancy footwork is part of the trouble. Under pressure from his own government, the parliament's president, Spanish Jose Maria Gil Robles, has put the fix in, with a rules committee decision that a vote of censure requires a two-thirds majority. There is nothing in the treaties to justify this. The rules committee judgment is now being challenged by newly assertive and self-confident MEPs.

"This has been an... historic vote," said Tory MEP James Elles, who led the parliamentary battle as rapporteur of the budget committee. "When we see the abuses... and see the refusal of commissioners to take individual responsibility, then we have a lack of accountability that is impossible in a modern democracy."

The vote also brought vindication for Chris White, a British journalist who launched the first fraud probe into the Commission 10 years ago. He was put under such extraordinary personal pressure that the Belgian police authorised him to carry a firearm for protection.

"The Commission's 10-year cover-up has failed," said White, now editor of the European Parliament magazine. "This has been the European Parliament's finest hour."

Order Diplo now to get January issue

Patrick Ensor, Editor

THE INITIAL response from last month's readers' survey shows that more than two out of three of you rated as excellent the trial issues of *Le Monde diplomatique* in English which we ran this year. And most of you thought it complemented the *Guardian Weekly* very well.

Thank you for your vote of support. If you want to make sure of getting the next issue of the *Diplo*, which will be posted to subscribers with the January 17 issue, don't forget to take advantage of the special offer (see below) before January 9.

Next month's issue will contain articles on China, Iraq, Chile's hard path to democracy, the genetic-industrial complex, a survey of the European left, and Noam Chomsky's thoughts on curbing footloose capital.

Many current subscribers keen to take up the *Diplo* offer have asked if they can synchronise both subscriptions by extending their current *Weekly* subscription to the end of 1999.

We are delighted to oblige since it obviously makes sense to renew both subscriptions at the same time. Please contact your local subscriptions office by letter, fax or e-mail — to ask how to go about it.

To those new subscribers for whom this is their first issue, welcome and apologies for any delay in sending out your first copy. This has been caused by a small technical hitch in reprogramming our computer. Rest assured, however, that your subscription will run its full length from this issue date. We hope you enjoy the *Weekly*.

This Christmas double issue comes with all our best wishes for 1999. Please let me know if you have any complaints, or suggestions for improvements, by writing or e-mailing me at: patrick.ensor@guardian.co.uk

Italy frees Kurdish leader

John Hooper in Rome and Chris Morris in Ankara

ABDULLAH OCALAN, the Kurdish guerrilla chief whose arrest triggered a diplomatic crisis between Europe and Turkey, was freed by an Italian appeal court last week to angry protests from Ankara.

The Italian prime minister, Massimo D'Alema, said Mr Ocalan would be kept under police surveillance and not allowed to leave Italy. "What happened... has not changed the scenario," he said, adding that a decision whether to try Mr Ocalan or expel him would be made soon.

But the last thing the leader of the Kurdistan Workers' party (PKK) wants is to leave Italy. The worry for the Kurdish separatists is that Rome will expel Mr Ocalan rather than give him asylum.

"He wants to initiate a political process together with the European Union... and he thinks he stands a better chance of doing that in Italy," said a PKK spokesman.

Mr Ocalan arrived in Italy on November 12, with two warrants outstanding against him: from Ger-

many and Turkey. Turkey's request was rejected because Italy does not grant extradition to countries with the death penalty.

Last week the president of the court, Tommaso Figiuzzi, said the German warrant was not valid because Bonn had replaced the original, international warrant with one that meant Mr Ocalan could only be detained if he went to Germany.

The Turkish government sought legal clarification of the decision. The defence minister, Ismet Sezgin, said that if Mr Ocalan had been freed with no conditions "then this is a desperate mistake. It will damage Turkey's relations with Italy and harm international law."

Others in Turkey were more circumspect, awaiting an explanation of exactly what the Italian decision means.

Mr Ocalan is wanted in Turkey on treason charges. He has said he would agree to stand trial if the international community also agreed to hold a conference to try to solve the Kurdish question and help find a peace settlement between Turkey and the Kurds.

US envoy issues warning to Kosovo factions

Chris Bird in Prizren

RICHARD Holbrooke, the United States envoy to the Balkans, warned Serbia and ethnic Albanians last week that they were "playing with dynamite" by continuing to resort to violence in the battle for control of Kosovo.

Mr Holbrooke was speaking on a lightning visit to the province after more than 30 people were killed during the worst day of bloodshed since an unofficial ceasefire was agreed in October.

On Monday there was further violence as ethnic Albanians attacked a police patrol in central Kosovo, Serbian sources said.

The violence has raised fears for the safety of 2,000 unarmed observers of the Kosovo Verification Mission (KVM) who will soon be deployed there.

"We are determined to continue our efforts and we want all people to understand they are playing with dynamite," Mr

Holbrooke told reporters in the regional capital, Pristina.

"The safety of KVM is absolutely essential; they are unarmed and under absolute guarantees of their safety by the Yugoslav authorities, in writing."

He said progress towards a political settlement was essential, and reiterated that the activation order for the Nato strikes had not been lifted.

Last week Yugoslav soldiers killed 31 ethnic Albanian separatists of the Kosovo Liberation Army (KLA) who were part of a 140-strong group trying to smuggle arms and supplies into Kosovo.

"Our initial feelings are that this was a normal military operation... and not a set-up," one of the international monitors said. He said the rest of the 140 KLA members were scattered in the region.

Later six Serbs, five of them teenagers, were killed in the west Kosovo town of Pec when gunmen opened fire in a bar. The Serbian media have claimed the attack was ethnically motivated.

There have been reports of artillery fire around Kusanin and the neighbouring village of Lubizda, and witnesses have reported seeing several hundred army troops in the area.

Mr Holbrooke met the Yugoslav leader Slobodan Milosevic in Belgrade to try to breathe some life into the stalled peace talks.

Mr Holbrooke, who helped broker the fragile peace that ended the three-year war in Bosnia, cut a deal with Mr Milosevic in October in which the Serbian leader agreed to withdraw some of his security forces from Kosovo.

Part of the deal was Mr Milosevic's agreement to let unarmed international monitors "verify compliance" with the accord.

But with the shaky ceasefire apparently in tatters, the Nato secretary-general, Javier Solana, joined Mr Holbrooke in voicing concern for the monitors' safety.

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The Guardian
Weekly

Knows no boundaries

Nobel winner accused of fabrication

Michael Ellison in New York

THE reputation of a Nobel Peace Prize winner has been badly damaged after the story of her family's struggle against exploitation and oppression was challenged by an academic who retraced her steps.

Rigoberta Menchu, who became a *conseillère* for the intellectual left in Europe after escaping from the civil war in Guatemala, was accused of fabricating and exaggerating parts of her autobiography, *I, Rigoberta Menchu*. It includes the death of a brother, Nicolás, who is still alive.

David Stoll, an anthropologist at Middlebury College, Vermont, said she had drawn on the experiences of others to tell her story. She "drastically revised the pre-war experience of her village to suit the needs of the revolutionary organisation she had joined."



Menchu: story challenged

The book, which has been translated into 12 languages, was published in 1982, 10 years before Ms Menchu won the peace prize for "her work for social justice and ethno-cultural reconciliation".

Mr Stoll, who spent 10 years researching his book, *Rigoberta Menchu And The Story of All Poor Guatemalans*, says many of the experiences she describes are composites. His work is supported by a New York Times investigation.

But Geir Lundestad, director of the Nobel Institute, said her award was not based exclusively on the book and there was no question of the prize being withdrawn.

Ms Menchu's autobiography centres on her family's struggle against a wealthy elite who tried to steal their land. Mr Stoll says the dispute was a feud between peasant families.

Other claims undermined include the death of one brother from starvation and another burnt to death by the Guatemalan army, her assertion that she had no education, and that she was an undercover political organiser.

Ms Menchu, aged 39, has started

to distance herself from the autobiography and refer the inquisitive to Elisabeth Burgos, the former wife of the Che Guevara associate Regis Debray, who collaborated on the work.

"I am the protagonist of the book and it was my testimony but I am not the author," said Ms Menchu. "She [Ms Burgos] gave the book its final form so she is officially the author." But Ms Burgos, who transcribed 26 hours of tapes for the book, said: "Every phrase comes from what Rigoberta Menchu said."

Few dispute that Ms Menchu's father, mother and two of her brothers were killed during the country's 36-year civil war, which finished in 1996. Robin Blackburn, Ms Menchu's editor at Verso, writing in her defence, said: "At no point is evidence offered that Menchu invented the blood-soaked plight of her people, even if her account was a partial one."

Pope fires a salvo against consumerism

John Hooper in Rome

THE Pope lashed out at capitalism last week in his strongest renunciation to date of the global economy. He linked the financial crisis in the East Asia with the activities of market speculators, and put the impact of consumerism on a par with those of some of the most odious doctrines of history, including Nazism.

The strictures were contained in a special message issued before World Peace Day, on January 1. His 22-page homily, presented at the Vatican, focused on human rights.

"When human rights are ignored or scorned, and when the pursuit of individual interests unjustly prevails over the common good, then the seeds of instability, rebellion and violence are inevitably sown," he said.

While inveighing against a range of targets, from abortion to small arms proliferation, he left no doubt that he regarded the global economic order as one of the main sources of human rights violations.

"The history of our time has shown in a tragic way the danger which results from forgetting the truth about the human person. Before our eyes we have the results of ideologies such as Marxism, Nazism and fascism, and also of myths like racial superiority, nationalism and ethnic exclusivism."

"No less pernicious, though not always as obvious, are the effects of materialistic consumerism, in which the exaltation of the individual and the selfish satisfaction of personal aspirations become the ultimate goal of life."

Since the fall of communism the Pope has increasingly concentrated his fire on the shortcomings of capitalism and the free market. But he has never gone so far in deploring its consequences.

He writes: "The rapid advance towards the globalisation of economic and financial systems also illustrates the urgent need to establish who is responsible for guaranteeing the global common good and the exercise of economic and social rights. The free market by itself cannot do this, because in fact there are many human needs which have no place in the market."

He adds: "The effects of the recent economic and financial crises have had heavy consequences for countless people, reduced to conditions of extreme poverty."

"Many of them had only just reached a position which allowed them to look to the future with optimism. Through no fault of their own, they have seen these hopes cruelly dashed, with tragic results for themselves and their children."

"And how can we ignore the effects of fluctuations in the financial markets? We urgently need a new vision of global progress in solidarity, which will enable all people to realise their potential."

Branson aims for record

Richard Branson and his

ICO Global Challenge team sought a flawless launch last night in their attempt to be the first to circumnavigate the world by balloon, writes Will

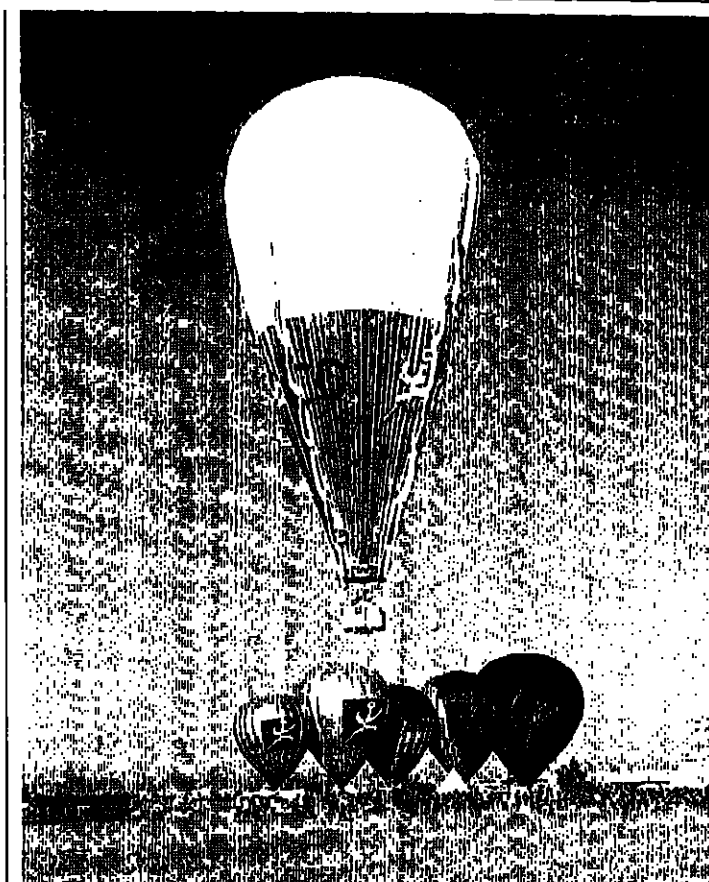
Woodward in Marrakech. The 220ft balloon rose above Moroccan airfield in Marrakech at 9.24am on December 18 in perfect conditions, and headed east over the Atlas mountains.

Mr Branson said the early eggs were crucial if he and his pilots, millionaire American Joe Fossitt and Norwegian Helinstrand, are to achieve what described as the last great aviation challenge.

After 24 hours into his last balloon attempt, Mr Branson lost his most valuable asset - his voice.

Mr Kendrick, the project director, said: "We think he has laryngitis syndrome... We don't think it is a problem."

The balloon, travelling at up to 20mph, could complete its mission in nine days.



Life off... The ICO Global lifts off at Marrakech. PHOTO TIM COLEMAN

Pinochet ruling set aside

David Dyer

BRITAIN'S highest court broke new ground last week when it set aside one of its historic judgments because of evidence of bias against one of the litigants.

The senior past and present law lords unanimously set aside an earlier Lords' ruling that General Augusto Pinochet was not immune from extradition and prosecution for crimes against humanity.

The decision has dramatically increased Gen Pinochet's chance of freedom.

The original judgment by a different panel of law lords on November 25, overturned by a 3-2 majority in the House of Lords in October (that former Chilean dictator was immune from prosecution as a former head of state).

The decision was set aside after a hearing following a petition by Gen Pinochet's lawyers claiming that Lord Hoffmann, one of the majority who ruled against the general, should have been disqualified because of long-standing close links with Amnesty International.

The unprecedented blow to the integrity of British justice has sent shock waves through the judiciary, angering senior judges.

Lord Irvine, the Lord Chancellor, in a letter to the senior law lord, Lord Browne-Wilkinson, pressed for rigorous procedures for declaring interests to ensure that such a fiasco never happened again.

An appeal will be heard next month before a different panel of law lords, who could rule that Gen Pinochet is immune from prosecution. If so, the extradition process would be halted and the general freed to return to Chile.

The decision was the first time a Lords judgment has been set aside, and allegations of a conflict of interest have never before been made against such a senior judge.

Lord Hoffmann, a director of Amnesty's fund-raising arm since 1990, on November 25 ruled with two other judges that immunity did not extend to crimes against humanity. It paved the way for the Home Secretary, Jack Straw, to start the process which could end in Gen Pinochet's extradition to Spain to stand trial for alleged human rights

crimes during his rule from 1973-90.

The case comes at a time when pressure is growing for more public scrutiny of judges in the run-up to implementation of the Human Rights Act, which will require them to adopt a more political role.

The five judges unanimously set aside the earlier Lords' decision. They held that Lord Hoffmann should have stood down because Amnesty International, which has long campaigned for Gen Pinochet to be tried, had been allowed to intervene, and, through its QC, pressed the case for denying immunity for crimes against humanity.

Lord Hoffmann, who is abroad until the end of the year, has not explained why he failed to disclose the connection, in breach of a long-standing practice among judges to disclose even a remote possibility of a conflict of interest.

The affair is embarrassing for the South African-born judge. As well as delivering a blow to the reputation of British justice, he has been responsible for two extra, expensive hearings.

Comment, page 10

British youth's drug abuse 'highest in Europe'

Stephen Bates in Brussels

LEVELS of recorded drug abuse in Britain are up to five times higher among teenagers and young adults than in other European countries, a survey published last week reveals.

The report by the Lisbon-based European Monitoring Centre for Drugs and Drug Addiction, based on official statistics gathered by EU member states, shows that the proportion of British teenagers and adults in their 20s taking a range of drugs, including cannabis, amphetamine, cocaine and Ecstasy, are at much higher levels than in states such as France and Germany.

The figures indicate that whereas 10 per cent of Britons in that age

range took cannabis, comparable figures for France were 25.7 per cent, Germany 21 per cent, and Spain 22 per cent. Only Denmark, from a much smaller survey, records similar figures to Britain's.

For cocaine, only Spain beat the British figure of 4 per cent. Nine per cent of young Britons were reported to have experimented with Ecstasy, compared with just 2.8 per cent in Germany and 1 per cent in Sweden and Belgium.

The report says that, even allowing for differences in the size, date and age range of the national surveys, the UK returns are significantly higher than those of other countries. It adds: "Recent cannabis use (last 12 months) is reported by 1 to 9 per cent of the adult popula-

tion, depending on the country; Finland, Sweden and eastern Germany present the lowest rates, and Spain and the UK the highest."

"Recent use is higher among young adults, in most countries reaching 3 and 10 per cent although reaching 20 per cent in the UK."

The report also records disturbing rises in the use of illegal drugs in eastern European countries, where the authorities have disproportionately fewer resources to deal with the problem.

Researchers found that seizures of cannabis in EU states had levelled off since 1994, after quadrupling in the previous decade, while there are also signs that Ecstasy use may have levelled off. The use of heroin and cocaine is still on the increase.

The Week in Britain James Lewis

MP claims newspaper editor was MI6 agent

ALLEGATIONS that he had been a "paid asset" of the intelligence service, MI6, were briskly denied by Dominic Lawson, editor of the Sunday Telegraph. He noted that the suggestion had been made by the Labour MP Brian Sedgmore, under the protection of parliamentary privilege, "thus protecting himself, and the newspapers that repeated his remarks, from scorned friends, who would otherwise have been instructed to issue the mother of all libel writs."

Mr Sedgmore did not, properly speaking, name Mr Lawson as an agent but said that the sacked, renegade ex-MI6 officer, Richard Tomlinson, had alleged that he was. The thrust of the allegation was that, during his earlier editorship of The Spectator, he had published articles from Bosnia and Croatia, purporting to have been written by one "Kenneth Roberts".

Mr Lawson, son of the former Tory Chancellor, Nigel Lawson, said at the time that this was the pseudonym of a UN adviser, who obviously could not write about the UN's role in Bosnia under his own name. The allegation is that "Kenneth Roberts" was in reality an MI6 agent, and Mr Lawson now concedes that this may be right, though he did not believe so at the time.

More entertaining was the way other newspapers embroidered the allegation. Some made much of Mr Lawson's skill as a chess-player, "the mark of a scheming mind" and an obvious wrong 'un, according to Sherlock Holmes. The Times, which may also have been taken in by "Mr Roberts", noted that Mr Lawson was known "to keep detailed records of train times" — an odd sort of habit that would have aroused the suspicions of John Buchan, if no one else.

A motion was tabled in the Commons demanding either that Mr Lawson should resign or that his paper's proprietor, Conrad Black, should sack him. But only six Labour MPs signed it.

DANNY McNAMEE, jailed for the IRA Hyde Park bombing in 1982, said he felt vindicated when the Court of Appeal quashed his conviction on the grounds that it was "unsafe". But he denounced the three judges who reached that decision because they added that this did not mean he was innocent.

The court found that the prosecution had failed to disclose material evidence at the original trial. This, along with new scientific and fingerprint evidence, made the conviction unsafe. The Crown had, however, made out a strong case that McNamee "was indeed a conspirator to cause explosions, and it may very well be that... a jury would have still found him guilty."

Sentenced to 25 years for his part in the attack, which killed four members of the Household Cavalry, Mr McNamee was released last month under the Good Friday agreement. He graduated from London university last year and intends to practise human rights law.

THE ROYAL Opera House was given a long-awaited cash boost when the Arts Council increased its

funding over the next three years. The company's grant will rise by 11 per cent to £16 million next year, and then to £20 million in the two subsequent years.

Further good news came when the ROH music director, Sir Bernard Haitink, withdrew his resignation, suggesting that he, at least, sees light at the end of the tunnel. But the ROH, beset by disputes and managerial problems, is still not out of trouble. Its reopening has been set back from December 1999 to March 2000, and the grant is dependent on the House opening on time and on budget.

Meanwhile there was concern that funding for many smaller theatre companies has been frozen to make cash available for the ROH.

THE internal rows of the prickly Commission for Racial Equality erupted in public when a dossier, highly critical of how the body is run, was sent to ministers by Blondel Cluff, who lost her CRE post after a purge of members appointed by the former Tory Home Secretary, Michael Howard.

Mrs Cluff, a solicitor, claimed the CRE had a "destructive and dangerous" approach to race relations, was wasting public funds, and was riven by divisions. She alleged, among other things, that friction between Afro-Caribbean and Asian members led to discrimination within the CRE itself; that it promoted an "aggressive and hostile" race relations ethos; and gave greater encouragement to litigation than to conciliation.

Blondel Cluff is the wife of Algy Cluff, oil tycoon and chairman of the Spectator magazine, whose business partner is Conrad Black, owner of the Daily Telegraph. It was the Telegraph that published her dossier. The CRE's chairman, Sir Herman Ouseley, said Mrs Cluff was "a spurned woman" who had come to the commission with an agenda to shut it down.

CARLTON Communications, owner of Carlton and Central Television, was fined £2 million for its faked documentary, The Connection, which purported to disclose a drug cartel's new heroin route from South America to London. The Independent Television Commission found 10 "grave breaches" of its code, principally that "evidence for a new heroin route did not exist".



Koreans 'take step towards human clone'

Jonathan Watts in Tokyo and Tim Radford

SOUTH KOREAN scientists last week claimed to have taken the first steps towards cloning a human being. They provoked worldwide alarm by taking the technique that led last year to Dolly the sheep — cloned from a "mother" by scientists at the Roslin Institute in Scotland — and applying it to a human cell and egg.

Researchers in Britain, Japan and the United States have cloned sheep, mice and cattle from adult cells. There are no federal funds for human embryo research in the US, and embryo experiments in Britain are strictly controlled.

The Roslin team has ruled out the idea of cloning human babies. It has described the idea as repugnant and dangerous — it took more than 200 attempts to produce Dolly.

But Lee Boyeon, of Kyunghee University in Seoul, said that his team has cultivated a human embryo in its early stages from a single cell implanted in a woman's ovum. The operation was aborted before the fertilised egg reached foetus stage, to stay within Korean guidelines.

"Our experiment marked the first time the more reliable cloning technology has been applied to human cells and might make human cloning more feasible," Dr Lee said.

The Korean researchers immediately triggered a barrage of condemnation. Protesters in Seoul called the research inhuman. Yulio Tsunoda, the Japanese scientist who cloned twin calves, said: "I have never heard of such an experiment and at the moment I don't believe it is true."

Harry Griffin, from the Roslin team, said the experiment was stopped before proof has been established that the embryo had been reprogrammed.

"We do not believe the Korean group has sufficient scientific evidence to back their claim of having cloned a human embryo," he said. He also rejected Korean claims that the Scottish scientists had done the same thing.



Amsterdam's 'smart shops' sell the natural ingredients of many banned drugs. PHOTO: PAUL O'DRISCOLL

Dutch get to grips with drug shops

Jon Henley in Amsterdam

KOKOPELLI is on the Warmoesstraat in the middle of the red light district, two minutes from the railway station and less than 50 metres from the police station. It is bright and airy with striped pine floors. Tall rear windows overlook a stately 17th century canal. Anywhere else it might be a designer clothes shop; this being Amsterdam, it is a designer drugs shop.

A year or so ago there were half a dozen of these "smart shops" but now there are more than 150. They pose a problem for the Dutch government, which has Europe's most tolerant and pragmatic drugs policy.

How exactly do you legislate against magic mushrooms and psycho-active cacti — not to mention those little white tablets that are almost, but not quite, Ecstasy?

"Everything we sell here is completely legal," insisted Jeroen Burger, a spokesman for Conscious Dreams, the small but fast-growing company that launched the smart shop craze and recently opened Kokopelli. "OK, the active ingredient in magic mushrooms is on the list of banned drugs. But we don't sell the active ingredient. We sell the natural product."

Natural it may be, but the effect can be as powerful as many outlawed hard drugs. Take, for example, *Psilocybe lampanensis*, the

Magic Truffle, disarmingly described as triggering a "remarkably clear trip, but not too disorienting". Or *Panazolus cyanescens*, which is "metabolised very quickly, making the trip come on fast and strong". Both cost about \$50 for five. In Mr Burger's words, they amount to "legal hard drugs".

Moving up the scale of natural hallucinogens, Kokopelli also sells an innocent-looking plant called *Salvia divinorum*. It carries a kick like a mule: anyone choosing to smoke its leaves is advised to do so with friends so they can catch the pipe.

The Netherlands already has its 1,200 famous coffee-shops, where the sale of small quantities of marijuana for personal use is tolerated. In the belief that it is better to keep such things out in the open, where they can be supervised, than drive them underground.

In a recent long report, the Dutch health ministry tried to get to grips with the smart-shop phenomenon. It wanted to know whether they were a potentially lethal new development, or merely a kind of alternative chemist, offering "safe" alternatives to banned drugs.

Its conclusion, firmly in the Dutch tradition of respect for individual liberty, was that they were "not an unacceptable danger to society". For the time being they will be tolerated, and closely watched.

They need watching closely. Be-

cause smart shops are also engaged in a continual cat-and-mouse game with the authorities over synthetic drugs.

A couple of years ago GHB was banned outright when six Rotterdam teenagers fell into a near-coma after combining it with alcohol. Within weeks, a laboratory had produced an alternative.

Beneath Kokopelli's glass-topped counter lie some white pills — 2C.T.2 — described in its accompanying literature as a "psychedelic amphetamine". It is sold in sets of two 8mg tablets, but beginners are strongly advised to take just one, with a large amount of water. "Do not take 2C.T.2 alone unless you are an experienced user," the handout warns. "Do not take it if you are pregnant, diabetic, have high or low blood pressure, a heart disease, have ever had hepatitis A or B, or have drunk alcohol."

To Mr Burger this is responsible Dutch drug dealing at its best. "You see, the danger hardly ever lies in the product itself, but in the person using it," he said.

"We test every product personally, and give detailed information to each buyer. People will buy it anyway, and it's far better they do it from us than from some street-corner dealer."

That is also, in essence, the policy of the health ministry. But do be careful to follow the instructions.

State pensions boost for low-paid

David Brindle

LOW-PAID workers would win a "dramatic" increase in state support in retirement under £5 billion pension reforms unveiled last week by the Social Security Secretary, Alistair Darling.

A state second pension would at least double the value of the existing state earnings-related scheme (Serps) for 4 million employees earning less than £9,000 a year, the minister promised.

Abolition of Serps was the surprise in a Green Paper which steers clear of compelling workers to put more money aside for their old age. The strategy relies on incentives to lure up to 5 million middle-income earners into "stateholder" pensions.

The lack of compulsion raised doubts in the pensions industry about the effectiveness of the strategy, which appears to be a markedly less radical blueprint than had been forestalled. There was also disappointment among welfare groups working with older people.

Key points

- 20 per cent of average earnings to be minimum retirement income
- State second pension to replace Serps, doubling value for low-paid
- Credits for 4 million carers and disabled ex-workers
- Low-cost stateholder pensions aimed at 5 million people without occupational schemes
- Bigger incentives for moderate earners to leave state scheme and take out stateholder
- Occupational pensions
- Higher earners unaffected

By contrast, there was a warm welcome from carers' organisations for confirmation that ministers plan to give pension credits, under the new state second scheme, to people looking after dependent relatives or children under five, and to long-term disabled people with broken employment records.

At least 4 million people, mostly women, are expected to benefit from these credits by 2050. They would be treated as if they had annual earnings of £9,000, and their pensions would be boosted by up to £50 a week in today's terms.

The pensions overhaul has been triggered by official forecasts that, on present trends, one in three pensioners could be depending on income support by the middle of the next century. Previous attempts to encourage workers to make greater provision for themselves have met mixed results. Moreover Serps is considered by the Government to do little for the low-paid because it is income-related.

The Green Paper sets a target of 20 per cent of average earnings, or £75 a week in current terms, as a minimum income for the retired. From next April this will be a "guarantee" for people — though they will still have to claim an income support top-up of their basic state pension to get it. Thereafter ministers say their aim is to raise the guarantee broadly in line with earnings while the basic pension increases only with prices.

By 2050, it is forecast, the balance of total pension costs would have switched from the present 60-40 percentage split between state and private sources to one of 40-60.



Christmas shelved

SOME grey metal shelving, a few builders' lamps... welcome to Christmas, Tate Gallery style, writes Dan Glatzer.

After last year's wheeled and 1993's tree hung upside down, this year's Tate Christmas tree, by artist Richard Wilson (left), conveys a rather subtle message. Certainly it attracted little attention from visitors, most of whom seemed to assume that it was part of the gallery's centenary development building work.

The structure of shelving unit — incorporating a metal Christmas tree and lamps poking through holes drilled in the shelves — intentionally carries no message, according to the artist.

"It doesn't actually mean anything," said Wilson, known for his oil tank installation at the Saatchi Gallery, and for drilling a large hole in the floor of the Serpentine Gallery. "There's no message. It just means it's Christmas. Actually it's a relief not to overburden the general public with too much."

There was, however, a possible subtext, he conceded. "In some ways I suppose it's a war house of contemporary visual artifacts. The shelving units are a storage mechanism to echo the museum itself as a storage place for art. But it's not a statement about the commercialism of Christmas or anything like that. It's quite spiky and fun."

The Tate Christmas tree, the gallery's 11th seasonal offering is on show until January 6.

PHOTOGRAPH BY RICHARD WILSON

Loyalist group first to hand in arms

John Mullin

THE Loyalist Volunteer Force last week became the first terrorist group in Northern Ireland to decommission some of its weapons.

The force's move came hours after the political parties finally agreed at Stormont the shape of the proposed power-sharing executive and the scope of the cross-border bodies envisaged in the Good Friday agreement. There is, though, no sign of the IRA following the LVF lead, a move which would clear the way for Sinn Féin to take up its two places in government.

The LVF this year killed a number of Catholics after the Irish National Liberation Army's murder of its leader Billy Wright at the Maze prison a year ago. Its campaign threatened to wreck the peace process.

It culminated in the murder in March of two friends, one Catholic and one Protestant, in Poyntzpass, Co. Armagh. One of the suspected murderers, believed by his colleagues to be a police informer, was murdered at the Maze.

Pastor Kenny McClinton, a convicted terrorist murderer who turned to Christianity while in prison, was the LVF's link to the International Body on Decommissioning, headed by the Canadian General John de Chastelain. The LVF declared its ceasefire permanent in August, and last month its prisoners were ruled eligible for the early release programme, part of the agreement.

Northern Ireland's First Minister, David Trimble, welcomed the move. He believed it would put pressure on the IRA to make a start. "They will exclude themselves if they do not subscribe fully to the agreement. This is no time for foot-dragging."

The Irish prime minister, Bertie Ahern, said the deal on the composition of government and links with the Irish Republic should make it easier for the IRA to disarm. Others, including Sinn Féin and the Loyalist Progressive Unionist party, see the move as a cynical ploy on the LVF's part to free its prisoners early.

The LVF handed over the weapons just as a certificate issued by the decommissioning body and granting it immunity from prosecution was due to lapse.



A member of the independent decommissioning body destroys a weapon handed in by the LVF

PHOTOGRAPH BY HELMUT BOYER

McClinton was escorted under armed guard from Portadown to Rose Park, the decommissioning body's headquarters near Stormont. He watched as the nine guns, 350 bullets, two blast bombs, and a quantity of explosive were handed over and the first two guns were cut into pieces.

Political leaders agreed that there will be 10 ministries replacing the six Northern Ireland departments. Unionists and nationalists will each run five. They are: agriculture; environment; regional development; education; further education; enterprise, trade and investment; culture, arts and leisure; health and social services; finance, and personnel.

There will be six cross-border bodies: inland waterways; food safety; trade and business development; special EU programmes; language — Irish and Ulster-Scots; and marine matters.

Meanwhile Tony Blair launched his strongest attack on the Tories

for criticising his handling of Northern Ireland, dealing the bipartisan approach to the peace process a fresh blow.

The Prime Minister challenged the Tories not to "play politics" with the peace process at a sensitive time in the negotiations.

Mr Blair hit out at the Tories in the Commons after Oliver Letwin, MP for Dorset West, criticised the Government for releasing paramilitary prisoners in the absence of any disarmament by the IRA.

Mr Letwin asked: "Do you believe it's an ethical policy to have released every IRA murderer without achieving the decommissioning of a single armament?"

An angry Mr Blair reeled off a list of occasions when Labour in opposition supported John Major's government at difficult moments during the early years of the peace process. "We supported the previous government all the way through. We never once played politics with

that issue, and I hope your party will do the same."

Ministers believe that Andrew Mackay, shadow Northern Ireland secretary, is in danger of strengthening the hands of unionists opposed to the agreement with his demand to halt the release of prisoners until paramilitaries start to disarm. The Government is exasperated with the way that Mr Mackay supported the agreement only to introduce preconditions that were not part of the deal.

At the same time the Orange Order is to consider disciplining Mr Trimble for attending the funerals of three young victims of the Omagh bombing. Denis Rogan, Ulster Unionist party chairman, is also facing action.

Mr Trimble, leader of the UUP, which has institutional links with the Orange Order, was dismissive of the planned action against him. He and Mr Rogan attended the funeral mass at St Mary's Church in Buncrana, across the border in Co. Donegal, for Oran Doherty, aged eight, and James Barker and Sean McLoughlin, both 12.

They were applauded as they entered. The Irish president, Mary McAleese, and the Sinn Féin president, Gerry Adams, also attended.

A condition of Orange Order membership is that "you should not countenance by your presence or otherwise any act or ceremony of Popish worship".

Mr Trimble's wholehearted support for the Portadown Orangemen at Drumcree in 1995 was a factor in his winning the party leadership two months later, and many hardliners believe their constituency MP has let them down.

Tensions were rising again in Northern Ireland last weekend after a loyalist group calling itself the Orange Volunteers claimed responsibility for bombing a Catholic-owned bar in Crumlin, Co. Antrim last week. There were no injuries. It was the first such attack since the Real IRA's atrocity at Omagh, which killed 29 people four months ago.

At least 5,000 Orangemen and supporters paraded amid tight security in Portadown last weekend as part of the continued protest against being denied the right to march down the town's nationalist Garvaghy Road to Drumcree parish church during the summer.

Met police officers in anti-corruption drive

AN anti-corruption strategy launched last week by the Metropolitan police includes inspecting private bank accounts of officers joining specialist squads, and encouraging all officers to inform on corrupt colleagues, writes Duncan Campbell.

Sir Paul Condon, the Met's commissioner, described the strategy as the most comprehensive in the world, aiming to end the cyclical nature of corruption. "No one should underestimate our determination to pursue relentlessly and prosecute corrupt and dishonest members of staff, either past or present, and those who seek to entrap our colleagues," said Sir Paul.

Sir Paul said he did not believe

that officers joined the police with dishonest motives: "It's about good people who have come into policing and along the way have gone bad."

More than 80 criminal charges and suspensions have been instigated in the Met's investigation. The strategy aims to develop network systems as an alternative way to pass information on corruption to investigating officers; allow checks on bank accounts of officers seeking to join specialist squads; confiscate any assets gained as a result of dishonesty; carry out "integrity tests" to root out corruption, racism and sexism.

Meanwhile a police force humiliated by some of the most notorious sex discrimination cases of recent

years lost another, when one of its former women officers was vindicated by an industrial tribunal.

Claims of prejudice up to the level of North Yorkshire's former chief constable were upheld in the case brought by retired Chief Inspector Lyn Smith, aged 46, who left the force on medical grounds earlier this year.

She listed a catalogue of blocked promotion, humiliating sex jokes at a force dinner, and alleged queries by former chief constable David Burke about whether she was gay.

Welcoming the verdict, Ms Smith emphasised that she wished North Yorkshire police well and had every confidence in the regime installed this year, when Mr Burke retired.

Hijacking convictions quashed for refugees

Duncan Campbell

RIGHTS campaigners last week halted a Court of Appeal decision to quash convictions against six Iraqis who hijacked a plane to Britain from Sudan.

The decision is seen as setting a precedent for refugees of brutal regimes. The court held that the judge at the men's trial had wrongly prevented the jury considering their defence that they acted under "duress of circumstances".

Delivering his ruling, Lord Justice Rose said: "If Anne Frank had stolen a car to escape from Amsterdam and had been charged with theft, the tenets of English law would not have denied her the defence of duress of circumstances on the ground that she should have awaited the Gestapo's knock at the door."

The six men from Iraq were jailed at the Old Bailey in November last year for terms of between five and nine years. While the judge, Mr Justice Wright, expressed sympathy for their predicament, he ruled out the duress defence on the grounds that there had to be a close connection in time between a feared threat of injury and any criminal act.

The men had fled from Iraq and were fugitives in Sudan when they boarded a Sudan Airways aircraft in August 1996. Using knives and imitation grenades they took control of

the plane and its 197 passengers and crew for 20 hours before it landed at Stansted in Essex.

John Wadhvani, director of Liberty, said the ruling set a major precedent. "All too often the courts merely follow the law. This shows that they can dispense justice, too."

On the same day the Home Secretary, Jack Straw, unveiled and terrorist powers to make it illegal for groups dedicated to such diverse causes as animal rights or militant Islam to exist if they become involved in serious acts of violence.

The proposed powers make it a criminal offence to be a member of or supporter of such proscribed organisations. Tough action will also be taken against those who raise funds for the groups. At present only such bodies as the Real IRA are banned.

It will mean the end of the annual renewal of the Prevention of Terrorism Act. Mr Straw is to retain the power of proscription for Irish terrorism, but proposes to abolish the use of internal exclusion orders that ban individuals from travelling to the rest of the UK.

The Northern Irish "Diplock" courts, which sit without juries, are to be phased out. And the period during which a terrorist suspect can be held by police without the approval of a judge or magistrate is likely to be reduced from seven to four days.

Taxpayers 'lost £1.5bn on Railtrack'

Keith Harper

TAXPAYERS could have saved up to £1.5 billion if the previous Government had sold Railtrack bit by bit instead of getting rid of it before the election, a critical report from the National Audit Office concludes.

The report — called for by Parliament — examines the sale of Britain's signalling, track and railway stations to Railtrack, which was valued at £1.9 billion at the time of the July 1996 sell-off. Almost two-and-a-half years later, its market

value is more than £8 billion. The report says the Department of Transport could have taken a different approach to the privatisation. Railtrack's sale was completed so quickly as an election loomed. Any delay might have led to a "possible postponement of the sale, which might have made it more difficult to generate market interest".

The NAO has carried out calculations, and considers that overall sales proceeds might have been increased by at least £600 million if the Government had phased the sale and retained 20 per cent of the

shares, and by £1.5 billion if it had retained 40 per cent.

Privatisations carried out in stages, says the report, have nearly always resulted in higher total proceeds for the Government than if 100 per cent of the shares have been sold initially. The NAO says that the increase in Railtrack's share price — from £3.90 at the time of flotation to £16.05 at the end of October this year when the report was completed — suggests that a phased sale would have been more likely to yield much larger returns than a sale of all the shares at once.

In Brief

WESTMINSTER council decided against handing out compensation claims to employees implicated in the "homes for votes" scandal as there was legal doubt about the authority's ability to grant the money.

TOUGH measures designed to protect fish stocks have left Britain's fishing industry facing a further reduction in catches next year, even though the Government managed to reduce the cuts proposed by the European Commission.

IN a test case the Court of Appeal opened the way for discrimination claims against employers if they refuse to allow sick leave to mothers who are ill when their maternity leave ends.

PHILIP DUNNE, a former house parent at a Barnardo's home was jailed for 11 years, to join from victims who after 20 years came forward to expose his cruelty and sexual abuse.

JOB applicants will be asked to provide proof of a "clean" criminal record under measures to curb child abuse. Employers will have the right to insist job applicants produce a certificate showing any criminal past from a Criminal Records Bureau, to be set up within two years.

MONSANTO, the multinational company that specialises in marketing genetically modified crops, is to be prosecuted following the deliberate releases of modified oilseed rape into the countryside.

NUCLEAR waste stored at 22 sites containing plutonium is in danger of leaking, the Government's safety experts say.

LUCILLE McLaughlin, the nurse imprisoned in a Saudi jail for her part in the murder of an Australian colleague, is on trial accused of stealing a bank card from a patient in her care.

JANE ROOT has become the BBC's first female channel controller as head of BBC2.

A 12 YEAR-OLD girl was charged with murder following the death of a 16-month-old girl who sustained injuries while left in her care in Manchester.

SERVICES of commemoration were held in New York and Lockerbie to remember the victims of the Pan Am air crash 10 years ago.

THE SPICE Girls have topped the Christmas singles chart for the third year running with their Goodbye single.

SIR ALAN Hodgkin, a Nobel laureate in physiology and medicine, has died aged 84.

Handwritten text in the right margin: "John 13:1-17"

At war over the bombing

PARLIAMENTARY democracy has not served Britain especially well over the bombing of Iraq. The political class closed ranks suffocatingly around the prime minister. The House of Commons, at its worst when flags are waving, left dissent to Labour's hardened mutineers. So hard questions have gone unasked — about the legality of the bombing, its objectives, about British diplomatic isolation, about the theatre of the absurd playing on the Potomac. It may well be possible, as the UK defence secretary, George Robertson, suggested last week, that the Government has plausible arguments to muster. But it has not been able, nor has it really tried, to assuage the misgivings of many outside the charmed circles.

Dissent has instead come from abroad. Remarkably, on this occasion Washington has been a forum for dissenting voices: the Republicans, doubtless motivated by sheer bloody-minded partisanship, have questioned both timing and motive. Paris and Rome as well as Moscow and Beijing have registered their displeasure. Motivation varies in these capitals, to be sure. A month ago President Clinton — whose government has just signed a much-trumpeted defence agreement with Britain — seemed to back immediate punishment for Saddam Hussein in the event of a further rupture with United Nations weapons inspectors. In 1993 France took part in bombing operations. It is not entirely clear what has fundamentally changed since then.

If, by contrast, the British are now determined to stand firm with the United States, the question is: to what end? With

oil prices as low as they are, there is less of a direct economic interest in the region than in the recent past. Were the RAF's Tornados simply engaged in pursuit of a greater good such as international peace and good order? But why should this second-rank power, which usually seeks to express its international engagements through the European Union and Nato, on this occasion be determined to stand alone with the US?

Britain, it is true, received rhetorical support from the Netherlands and Germany, where the Anglo-American action has been justified by reference to the Germanic notion of a "law of nations". But such a law of nations surely cannot exist without being underpinned by an "international community". The question is not only whether there was explicit backing for Anglo-American action in the shape of UN resolutions, or indeed whether the Security Council should have been convened in order to receive the report of Richard Butler, its chief weapons inspector. It is also that brutal action in which lives are lost requires something better than unilateral decisions by Pentagon planners and a beleaguered US president to justify it — unless it is accepted that the name of the game is nothing more than the raw pursuit of US interests and US definitions of regional security.

There has to be more than that. Without a community of nations (and the aspiration towards its precious ideas of universally applicable rights become unintelligible. Such a community has, however, not been much in evidence these past days. The UN is one of its forms — flawed, to be sure, but not to be treated as a contingent tool of Washington's will.

The absence of specific UN mandates should not, as Kosovo arguably showed, always be allowed to become an obstacle to necessary action. But was the bombing

of Iraq necessary? If it had been carried out by a broad international coalition including some of Iraq's neighbours — or if it had had at the very least their approval in advance — this action would have looked much more legitimate.

There is continuing legal and political argument about whether or not this action is covered by existing UN Security Council resolutions. But with divisions running so deep, can the bombs and missiles launched ostensibly in the cause of international peace be justified?

Making a fool of the law

EVEN the Chileans are calling the latest events in Britain's highest court a "soap opera". After all the emotion for effort to bring to justice a man who is charged with torture and conspiracy to commit mass murder has come to depend on a kind of judicial yo-yo. Which panel of judges has the last word, and when is that last word really, really the last one?

Lord Hoffmann made a mistake in not declaring his links to Amnesty International, the human rights organisation, but in deciding that this was enough to nullify the original judgment the law lords have made things worse. They have created a precedent for appealing against appeals, not to a higher court because there is none, but to a different panel of the same court. The impression that the law is a lottery gets a powerful boost.

If before last month's hearing Lord Hoffmann had declared his links to a charity that promotes some of Amnesty's

causes, it is by no means certain that General Augusto Pinochet's lawyers would have asked him to stand down. There was no presumption for expecting Lord Hoffmann to decide the issues in only one way. But once Lord Hoffmann came up with an unfavourable judgment it made sense for General Pinochet's large and well-financed team of lawyers to inflame a minor issue, even though his solicitors admitted they knew of the Amnesty links before the hearing. They, too, remained silent. Last week's panel of law lords would have done better to ignore the general's lawyers' clever use of delay and reject the motion.

Judges who reveal an interest are usually allowed to continue a case on the grounds that they are deciding points of law rather than the truth of disputed facts. The panel of which Lord Hoffmann was a member was not judging General Pinochet's guilt. It was deciding issues of jurisprudence. Does international law treat torture and hostage-taking as international crimes which deserve punishment in any part of the world, wherever they were committed? Does a former ruler have immunity, either as a former head of state or because all his alleged actions, including ordering murders, were part of his official duties? Lord Hoffmann gave no explanation of his judgment, except to say that he agreed with Lord Nicholls and Steyn, who argued powerfully that English law did not give former heads of state immunity for actions that went beyond any reasonable interpretation of government functions.

One can only hope that the next panel of law lords will take the view, ideally unanimously, that General Pinochet does not have the immunity he claims. Whether they do or not, last week's victory of tactics over principle has unnecessarily interrupted the search for justice.

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December 27 1998

Le Monde

France exonerates itself over Rwanda

Romy Ourdan

THE Parliamentary Information Mission, set up by the French government last March to investigate the role France played in Rwanda in the early 1990s, has just handed in its report. Entitled *Inquiry Into The Rwandan Tragedy*, it gives an ambiguous picture of a particularly complex and obscure episode.

Why did France send soldiers to the civil war in Rwanda in 1990? Why did it step up its action there over the following three years? Why did it provide military support to its Hutu allies up till the genocide of the Tutsis in April 1994?

The Parliamentary Mission, headed by a Socialist former minister, Paul Quilès, and made up of members of parliament, partly answers those questions. It offers the reader an interesting account of recent Rwandan history, hitherto unpublished documents on France's action in the "country of a thousand hills", eyewitness accounts which in some cases open up new lines of inquiry, and a scathing analysis of the dysfunction that characterised the behaviour of the French government and the international community at the time.

The report's account of the facts and the way it describes them together make for a damning indictment: France failed in Rwanda, pursued the wrong Africa policy, and did not respond to what were glaringly obvious signs of the impending catastrophe.

Yet a certain ambiguity emerges from the report's 366 pages. The line the MPs take is that France was caught in a "trap" in Rwanda. The report details the painful chain of events that led up to the massacres, but tries to prove that at every stage of the process Paris had a good reason to take decisions that subsequently proved unwise.

Quilès and his colleagues conclude that an "overall error of strategy" was the only mistake that France made.

Although the first 300 pages of the report contain a wealth of infor-

mation, various sections of its "analysis of responsibilities" are far from convincing.

As regards the question of whether France could have prevented the genocide, Paris received disturbing telegrams from one senior officer as early as 1990. He wrote, on October 15 of that year: "Certain Tutsis believe the danger of genocide is something that should be taken seriously." Nine days later, he was talking about the possible "physical elimination of 500,000-700,000 Tutsis by the Hutus, who number 7 million".

Similarly alarming reports were received up to 1994. The parliamentary report concludes: "All the conditions that could have led to an outbreak of violence were present. France had perceived them perfectly well. It failed to draw an appropriate conclusion from that appreciation of the situation" — surely an astonishing understatement.

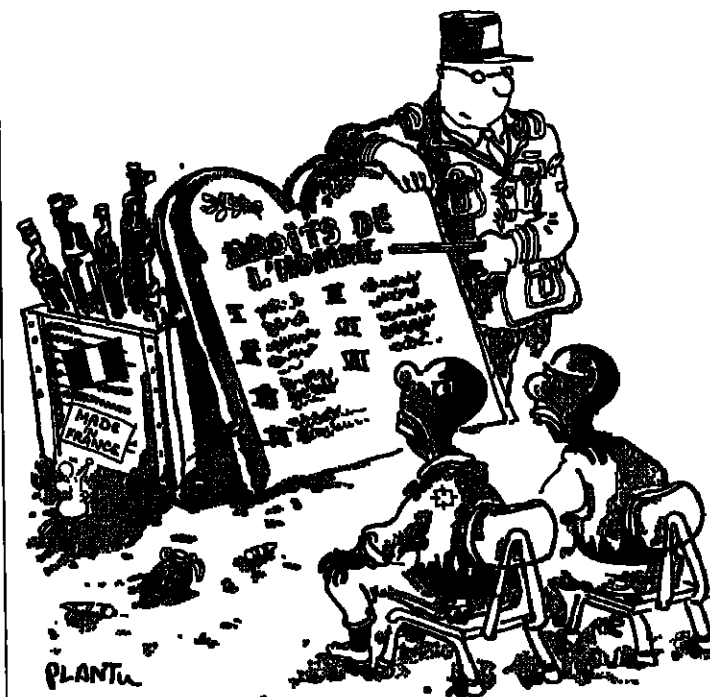
The report goes on in similar vein to describe scrupulously — using for the first time "declassified documents" as corroboration — how French forces joined up with the Hutu government's army, and how that regime, under French protection, allowed its racism to get out of control.

The report concludes curiously that "in the face of that upsurge and that organisation of violence and massacres, France in no way incited, encouraged, helped or supported those who masterminded the genocide".

That France was not directly responsible for the killings is one thing. That it did not, through its intensive military support, give the murderers a feeling of impunity is quite another.

It is only normal for a parliamentary information mission, on such issues as arms deliveries, to restrict itself to official documents and not to plunge into the murky world of arms traffickers. But on other questions it could have shown greater perception.

The report notes how deeply involved the French army was in the very workings of the Rwandan state,



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Indeed, its soldiers worked side-by-side with the Hutu army. "How could France have become so strongly committed," the report asks, "that one French army officer got it into his head that, through the operational assistance mission under his orders, he was leading and indirectly commanding an army, in this case the army of a foreign state?" But the question remains unanswered.

How did France get itself into such a fix? The impression given by the report, and by Quilès's remarks to the media, is that France, despite the problems revealed by the MPs' investigations, did not really put a foot wrong. There is a huge discrepancy between report's edifying factual chapters and some of its conclusions.

In particular the president of the time, the late François Mitterrand, gets off fairly lightly, whereas all the indications are that it was he who masterminded France's policy in Rwanda.

The report, while breaking new

ground, is only one stage in the process of uncovering the truth about French involvement in Rwanda. But it marks an important step forward in that MPs were able to poke their noses into the president's "private preserve". Confidential defence documents were made available to them, and two-thirds of the hearings that took place in camera have been published.

MPs also took advantage of their investigation of the Rwandan issue to demand that certain new legislative mechanisms should be considered, such as the monitoring by parliament of foreign military operations.

There is likely to be a mounting demand for greater transparency in such areas as foreign policy and defence. This could turn out to be a key initiative that would prevent France, in future, from embarking on similar escapades without first analysing the risks involved in siding with a criminal regime while keeping the public in the dark.

(December 17)

Asian crisis drags down Vietnamese

Jean-Claude Pomonti in Hanoi

THE Vietnamese foreign minister, Nguyen Manh Cam, publicly admitted this month that there was no way his country could escape the after-effects of the financial crisis that hit its neighbours in 1997. The timing of his admission was significant: just before Hanoi hosted its first big diplomatic meeting, the sixth summit of the Association of Southeast Asian Nations (Asean).

Vietnam has suffered badly from the repercussions of Asia's economic crisis. This year economic growth stood somewhere between 4 per cent (the World Bank figure) and 6 per cent (the official Vietnamese estimate), compared with 8.8 per cent in 1997. Inward investment fell by almost half, and exports did not grow at all. Increasing urban unemployment and widespread rural underemployment continue to handicap the country, which is one of the world's poorest.

Foreign aid remains at a healthy level, but \$500 million of it is conditional on the introduction of reforms, notably in the inflated and less-making public sector. But this is an area that Hanoi is reluctant to tackle. It believes reforms should be implemented step by step. Over the past few months, the Communist party's priority has apparently been to prevent a "rural implosion".

It is, however, working hard to prevent corruption. In 1997 protest movements sprang up in several rural areas, mostly against corrupt local authorities. The CP listens when the countryside speaks because the land provides a living for 80 per cent of the population.

Another problem impeding reform is the party's waning authority. Some leading communist figures, such as Tran Do, a retired general who has a lot of influence over young CP cadres, feel it is vital to democratise the movement. They do not seem to have been overly impressed by the release of several political and religious prisoners just before the Asean summit.

While countries such as Thailand, hardest hit by the crisis, are busy restructuring, Vietnam has no intention of speeding up the pace of reform. That reluctance could adversely affect its greatest asset — a large, hard-working and extremely cheap labour pool.

Moreover the 15 per cent devaluation of the national currency, the dong, in the space of 18 months may no longer be enough to counter competition from Vietnam's neighbours, whose currencies have been devalued by a far greater amount.

Despite that, the Vietnamese government does not share the sense of urgency manifested by its foreign business partners. Twelve years have elapsed since the decision to open up the country to inward investment and tourism. During that period, both the urban and the rural landscapes have changed radically.

Even as clouds seem to be gathering on the horizon, the communist leadership remains fearful that changes, if too audacious, could threaten their grip on power.

(December 17)

Iraq raids heighten crisis of leadership

Martin Woollacott

LIKE the radar images outlining the aircraft's targets, the four-day bombing campaign waged against Iraq has illuminated a degree of disarray and division among the world's nations that could scarcely have been imagined in 1991. It is as if the raids have crystallised the doubts that have been accumulating for a long time about the fitness and competence of the American political class, and about the hybrid system of world governance, half-American and half-international, with which we have been limping along in recent years.

The collapse of the coalition against Iraq is not just about Iraq. It raises the question of whether the interests and priorities of the United States, whose leaders are driven by ever more precise calculations of short-term popularity, can be reconciled with the needs of world leadership. Unless there is a working connection between the major centres of political and military power, especially the US, and what most people regard as just action brokered through our accepted international institutions, then the world really is in trouble.

A lot is being risked here, beginning with the reputations of individual politicians. President Clinton is a lost cause, but Tony Blair could also lose a lot of his political capital if the campaign against Saddam Hussein goes wrong in the sense that further suffering is inflicted on Iraq without achieving his removal. Nobody will

expect that immediately — but they will expect retrospective justification in time.

The broader issue is whether the balance between American and international politics, obviously now more than askew, can be restored. For a start, neither Republicans nor Democrats seem to care that their civil war over Clinton affects the whole world, usually in destructive ways. In the Middle East, Arabs see US policy as either malign or inexplicable, playing with their lives to make political theatre at home.

Washington's relations with the United Nations, which had a new beginning when Kofi Aunon was appointed secretary-general, are once again disrupted. The relationship with Russia has been further damaged. And US hopes of redefining Nato tasks to include responding to states trying to develop weapons of mass destruction must now diminish. The European Union's cohesion will suffer from the tensions consequent on Britain's position as the US's only active partner.

The intensity of the disarray is new, but the divisions are not. Every one of the difficulties touched on above was there during the Gulf war in 1991. The difference is seven years of up-and-down policies in the Middle East and elsewhere. Where differences in 1991 melted away because of US determination and the successes it brought, they have grown since because of American inattention, bumbling, and failure. When Iraqi forces rolled into Irbil in 1996, executing the opposition who failed to flee with their American

Ethical Foreign Policy — latest pictures.



helpers, US planning for a post-Saddam Iraq was shown up as amateurish and inadequate. The world may be forgiven for believing that these past deficiencies cannot be made up for now by a few bombing raids.

The problem is the contrast between the often lightweight nature of US and British politics, and the heavyweight nature of the issues. That families in New York and London went about buying Christmas presents while Iraqi families were in fear of their lives sums it up on one level. The impeachment procedures against Clinton, even as the bombs were falling on Iraq, sums it up on another. The Russian Duma's discussion of whether or not to appeal to Monica Lewinsky to help stop the raids on Iraq takes it into the zone of parody.

One nation's irresponsibility feeds another's. It is despicable for Russian legislators to say that they will throw out measures of nuclear disarmament in order to thumb their noses at the US over Iraq.

You cannot have this kind of slapstick going on while bombs are falling without feeling a sense of great unease. The war fought for momentary political advantage is now such an entertainment staple that the idea lurks behind every explanation and analysis.

Bill Clinton, more and more resembling a hurt boy in his demeanour, encourages such thoughts. We feel sorry for him, but we also feel sorry he is in charge. And we doubt his judgment. He himself knows enough of this to throw the responsibility for the re-

cent decisions on Iraq on to his ministers and advisers. And it is on them that we are in effect depending for the consistency and seriousness of policy that alone can justify last week's raids. Blair and the UK Foreign Secretary, Robin Cook, can be added to that number.

These attacks on Iraq cannot be defended in themselves but only as part of a determined new policy to remove Saddam. But most opponents of the raids, well aware of US unreliability, are far from sure that this new campaign will materialise, much less whether it will work.

The burden on the US and British governments is to prove them wrong and to show that American power and the proper management of international affairs can be brought again into a degree of concert.

Pursuing a disastrous policy on Iraq

EDITORIAL

THE United States's decision to use force against Iraq was flawed in every respect. It was flawed in its form: the United Nations Security Council was not consulted, even though Washington claimed to be acting on behalf of the international community.

It was also flawed in its content: it was founded, solely on a questionable report by Richard Butler, the Australian chairman of the United Nations' weapons inspection team, Unscowm.

What exactly did Butler say? That Iraq had not "fully" allowed his inspectors to do their work; that Iraq had jammed Unscowm's radio transmissions, moved documents about, and kept certain sensitive sites out of bounds to his inspectors.

But that has always been case. In the eight years that Unscowm

has been doing its job in Iraq, it has always had to do so in difficult and hostile circumstances.

In all, Iraq is thought to have prevented half a dozen site inspections out of more than 100 carried out by Unscowm over the past four weeks. That is scant justification for resorting to a massive use of force against a country that has already been brought to its knees.

The decision seems even less justified when it is remembered that, on the same day that Butler handed in his report, another organisation operating in Iraq, the International Atomic Energy Agency (IAEA), delivered its own report — which came to precisely the opposite conclusion.

IAEA agents said that Iraq had co-operated sufficiently with them for them to observe something that almost no one disputes any more: that Saddam Hussein's regime is less than

ever in a position to resort to the use of nuclear weapons.

Nor does anyone dispute the fact that, thanks to Unscowm, Iraq no longer has more than a handful of long-range missiles in its possession.

No army command in the region, whether it be Arab, Iranian or Israeli, feels militarily threatened by Iraq, even though it is generally recognised that Saddam, who has already proved himself a serious troublemaker, is probably doing his best to hang on to some of his chemical and biological weapons.

But what incentive is there for him to comply with UN resolutions on disarmament, Iraq when the avowed aim of the US is to overthrow him?

Justified in neither form nor content, the decision to bomb Iraq was also dangerous. It will no doubt have the effect of winding up Unscowm's operations,

which was our best guarantee of getting Iraq to disarm.

After being boosted by President Bill Clinton's speech in Gaza on December 14, the image of the US in the Middle East reverted within a matter of days to what it has always been — that of a major power which uses double standards, depending on whether it is Israel or Iraq that violates Security Council resolutions.

This only encourages people to see the US as a country desperate to get rid of Saddam out of frustration at having failed to topple him by imposing sanctions, a move that has only increased the suffering of the Iraqi people.

For all these reasons — quite apart from the so-called "collateral" (ready civilian) casualties of the bombing — the US decision could turn out to be disastrous. But then disastrous is the only word which, for much too long now, has been applicable to overall US policy towards Iraq.

(December 18)

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